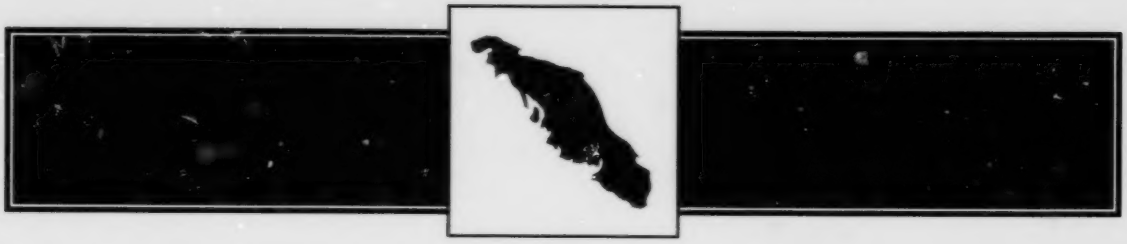

Clayoquot Sound Sustainable Development Task Force

Report to
The Minister of Environment and
The Minister of Regional and Economic Development

January 31, 1991

91-04207/

ACKNOWLEDGEMENTS

The members of the Task Force would like to acknowledge
the assistance provided by the Executive Coordinator and her staff,
and the generous contribution of time and effort from
negotiating committees, facilitators, and the
many others who assisted us during the
term of the Task Force.

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January 31, 1991

Honourable Bud Smith, Q.C.
Minister of Regional
and Economic Development
Parliament Buildings
Victoria, British Columbia
V8V 1X4

Honourable Cliff Serwa
Minister of Environment
Parliament Buildings
Victoria, British Columbia
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Dear Sirs:

It is our pleasure to present to you the report of the Clayoquot Sound Sustainable Development Task Force. Our recommendations are based on a desire to achieve a sustainable development strategy for the Clayoquot Sound area integrating environmental conservation, economic development and community prosperity.

Of particular note is the participation on the Task Force of the Native communities in Clayoquot Sound. An understanding was reached early in the process that the Nuu-chah-nulth Tribal Council (NTC) would represent the interests of Native peoples of Clayoquot Sound, and that the individual bands would have direct representation on the Task Force should they perceive the need to do so. As a result, participation on the Task Force has not been consistent with each of the individual bands .

The signature sheet for this report reflects those interests which have participated on the Task Force and in the development of the report. Those individual Native Bands which did not feel comfortable signing the report, that is, the Ahousaht and Clayoquot bands, have been invited to discuss any comments directly with me prior to January 31, 1991, and I will subsequently forward these to Government.

We remain fully committed to assist with this process in whatever way we can.

Sincerely,

Allan Hope
Chairman

Penny Barr
Former Mayor, District of Tofino

Richard Dalon
Deputy Minister,
Ministry of Environment

Stuart Gale
Ministry of Tourism

Philip Halkett
Deputy Minister, Ministry of Forests

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Former Chairman of the Board
Regional District of Alberni-Clayoquot

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EXECUTIVE SUMMARY

Long standing disputes over development versus environmental protection prompted the creation of the Clayoquot Sound Sustainable Development Task Force in August 1989 by the Ministers of Environment and Regional and Economic Development.

The terms of reference of the Task Force covered three broad requirements:

a) The Task Force would function as a dispute resolution mechanism and operate by consensus, with a neutral chairman skilled in techniques of mediation and consensus building.

b) The Task Force would identify areas where timber harvesting could occur in the short term to minimize disruption to the logging industry, and, until its recommendations were made to government, the normal forestry planning processes in the area would be suspended.

c) The objective of the Task Force would be to prepare a sustainable development strategy for Clayoquot Sound ensuring that all aspects of present and future development are addressed, including social concerns, aesthetics, and economic development opportunities and requirements of all the resource sectors, while safeguarding the integrity of the local environment.

The Task Force reached agreements to assure fibre supply and continued employment for MacMillan Bloedel Ltd. and Fletcher Challenge Canada during the term of its deliberations. However, approvals for road construction and other development work that would maintain employment dominated the Task Force agenda and was never fully resolved.

An agreement to expand membership in the Task Force to address some important gaps in representation was achieved, however, agreements could not be reached for representation of other key interests.

A very positive outcome is the emergence of an integrated planning process being developed in a multi-party framework for the Tofino Creek area. The model being implemented there should be examined for applications elsewhere.

After a year of deliberations made difficult by the inability of the Task Force to, by consensus, effectively deal with its shortcomings in membership and its opposing views on short term logging issues, the Task Force concluded that a re-shaping of its structure and process is required if a sustainable development strategy is to be achieved for Clayoquot Sound.

This report of the Clayoquot Sound Sustainable Development Task Force describes the recommended process for undertaking a sustainable development strategy in Clayoquot Sound. It includes the composition and selection of a new steering committee to take its place, made up of a more representative group chosen in a more consultative process. It also includes a detailed outline for undertaking the strategy and what is required for administrative support and consultation with the interests involved at different stages in the process. Therefore, while this is the final report of the Clayoquot Sound Sustainable Development Task Force, it must be viewed as coming at an interim stage in the preparation of the sustainable development strategy.

The Clayoquot Sound Sustainable Development Task Force, by way of its final report, recommends the following:

a) The Clayoquot Sound process as contemplated by the original Terms of Reference not be used as a model in other areas in British Columbia.

b) Government adopt the proposal for the preparation of the sustainable development strategy as detailed in this report.

c) Government proceed immediately with the appointment of an interim Strategy Director in order to establish a strategy office and facilitate membership in the restructured Sustainable Development Steering Committee, as described in this report.

d) Government support a strategy office and required infrastructure within the government system.

e) Decisions respecting short-term resource development should be made in a forum separate from the preparation of the long-term strategy, with the provision that short-term decisions should not compromise the achievement of the long-term strategy.

f) The Ministries of Forests and Environment proceed immediately with implementation of the interim forest sector decision-making process described in the report.

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1. INTRODUCTION

In the Clayoquot Sound region, there have been long standing disputes over development versus environment, including logging blockades on Meares Island and in Shelter Inlet. The disputes resulted in a breakdown of constructive, multi-party dialogue, as well as a growth of mistrust in government's ability to ensure resource stewardship.

In the summer of 1989, the District of Tofino requested support from the government in the preparation of a sustainable development strategy for Clayoquot Sound. Recognizing the need for involvement of a broad set of interests, the Minister of Environment and Minister of Regional and Economic Development, after consultation with the Chairman of the Regional District and local Mayors, established the Clayoquot Sound Sustainable Development Task Force. This superceded an integrated resource planning initiative for the area proposed in March 1989 by the Ministry of Forests and supported by Fletcher Challenge Canada and MacMillan Bloedel Ltd.

The Clayoquot Sound Sustainable Development Task Force is an experiment in the participation of regional communities, industries, interest groups, and various levels of government in developing a common vision for the future. This experiment is founded on recommendations of the British Columbia Task Force on Environment and Economy that were published in June 1989.

The Task Force, headed by Dr. David Strangway of the University of British Columbia, set the stage for how sustainable development would be pursued in British Columbia. Many of the task force's recommendations predict the creation of the Clayoquot Sound Sustainable Development Task Force. These include the following:

> *"...local governments and communities should play a greater part in setting the agendas for economic development and environmental conservation. The public should be involved in decisions concerning natural resources and environment, from the definition of objectives to a full review of policies, programs, and projects..."*

and

> *"...techniques of mediation and negotiation should be introduced to resolve environmental conservation and economic development disputes with the Round Table fostering these techniques in instances where all parties agree to the process."*

The Clayoquot Sound Sustainable Development Task Force was established at a time when several other decision making processes were being set into motion, all of which will eventually have a strong influence on the outcome of a sustainable development strategy for Clayoquot Sound. These are the Provincial Round Table on Environment and Economy and its sustainable development strategy for the province, the Forest Resources Commission, and the Old Growth Strategy Project.

The pressures for environmental conservation, economic development and community prosperity are common to many parts of the globe. In Clayoquot Sound, the Task Force is breaking new ground in British Columbia by developing a single long term strategy for sustainable development.

2. THE TASK FORCE PROCESS

2.1 Terms of Reference

The terms of reference and composition of the Task Force were announced by the provincial government on August 4, 1989 (see Appendix 1 for complete Terms of Reference).

The Terms of Reference specified the following elements which were central to the operation and subsequent outcomes of the Task Force.

Role of Chairman

A neutral chairman was appointed to establish a process of consensus building and mediation among competing interests. The role of the chairman was to pursue consensus in the context of the objectives laid out in the terms of reference. Results, directions and objectives were developed by the chairman in the form of briefing memos to members. A series of nine briefing memos describe important concepts and directions of the Task Force (see Appendix 2).

An important distinction here is that mediation is not a decision-making process as such; it is a dispute resolution mechanism which can be applied when decision-making processes fail or become stalemated by difficult issues.

The terms of reference did not indicate how disputes were to be resolved in the event that no agreement could be reached by the interests involve.

Consensus Process

Since the terms of reference specify a mediation process with consensus building, Task Force members were required to understand and apply skills for mediation, including:

a) an ability to listen to other parties;

b) a willingness to consider compromise solutions;

c) an ability to practice basic techniques of negotiation;

d) an ability to understand and define their interests and the issues in dispute; and

e) an understanding of the basic mediation process steps of:

- identifying all interest groups,
- ensuring all interest groups are represented,
- identifying the position of each group in a dispute,
- pursuing the compromise of the competing positions toward an acceptable resolution of a dispute.

A set of procedural ground rules was agreed to by the Task Force early in the project. These are included in Appendix 1 with the Terms of Reference. **It should also be noted that consensus for the purposes of this Task Force means unanimous agreement.**

Membership

Initial membership was appointed by the provincial government, in consultation with the Chairman of the Regional District of Alberni-Clayoquot and the Mayors of Port Alberni, Ucluelet, and Tofino. The ability to supplement membership was by consensus of the Task Force.

Debates concerning membership were not resolved by consensus, and there was no mechanism in place for the chairman to intervene. As a result, the Task Force did not have all directly affected interests at the table during their deliberations. In addition, because there had been no previous consultation with the Nuu-chah-nulth Tribal Council regarding its desire to participate, there was uncertainty about their commitment to participation.

The Task Force was initially comprised of twelve members plus a chairman. The members represented the following agencies and interest groups:

- Alberni-Clayoquot Regional District
- City of Port Alberni
- District of Tofino (3 members)
- Fletcher Challenge Canada
- International Woodworkers of America
- MacMillan Bloedel Ltd.
- Ministry of Environment
- Ministry of Regional and Economic Development
- Nuu-chah-nulth Tribal Council
- Village of Ucluelet

Throughout the course of the process, the Task Force recognized the inadequacies of membership, but were unable to fully resolve differences as to who should attend. As a result of discussions on December 19, 1989, membership was expanded to include the following:

- Ministry of Forests
- Ucluelet Band
- Ahousaht Band
- Tla-o-qui-aht Band
- Hesquiaht Band
- Toquaht Band
- Ministry of Aquaculture and Fisheries
- Ministry of Tourism

However, agreements could not be reached on representation for commercial fishing, mining, or the federal agencies of Fisheries and Oceans and Parks Canada. Another problem with membership was the difficulty in clarifying the dual roles of District of Tofino members in representing both their community interests as well as the environment. Attempts were also made to address deficiencies in membership through establishing sectoral negotiating committees, as described in Section 2.2.

The evolution of broader representation, as recommended in this report, is a direct result of recognition by the Task Force that a restructuring of membership is essential.

Short-Term Logging

Logging in Clayoquot Sound during strategy development is the most contentious underlying issue for the Task Force, and the main concern raised by communities and interest groups. The focus for disagreement proved to be the concern about the immediate impact on employment levels without foreclosing future options for environmental protection, as a result of Task Force negotiation on the short term issues.

The Terms of Reference suspended so-called "normal forestry planning" and assigned the Task Force the responsibility of decision making for short-term logging during the term of the project.

Government also required that the short-term logging needs were to be resolved in the first three months of Task Force deliberations so that disruption to the logging industry during the planning period would be minimized. It was intended that after these decisions were made, the Task Force would be able to proceed on preparing a sustainable development strategy.

However, as a consequence of this aspect of the Terms of Reference, the Task Force was required to deal with the most contentious issue first, without any agreement on, or experience with, its consensus process. This polarized membership at the beginning of the project.

A further complication with short-term logging was the opposing interpretations of the intent of the Terms of Reference with respect to "minimum" disruption to the forest industry. While there was no consensus on this issue, the Task Force worked under the assumption that there would be no job loss during its deliberations.

Discussion over short-term logging dominated the Task Force agenda for the majority of the past year, and was never fully resolved. In the case of Fletcher Challenge Canada, a decision on short-term operations was referred to government by agreement of the Task Force. For MacMillan Bloedel's operations, committee discussions resulted in a planning team being struck to continue work on a local plan for Tofino Creek (see Section 3.2). This planning continues.

The protracted debate over short-term logging led members to conclude that the process as structured could not accommodate long term strategic thinking concurrent with interim development decisions.

2.2 Negotiating Committee Process

The variety of interests in Clayoquot Sound presents a complex situation for consensus building and the resolution of disputes through mediation. With only twelve members at the Task Force table, not all constituencies were represented, nor could interests be fully developed and presented. Without well-developed interests and positions, it was impossible for the Task Force to reach a consensus on which issues required resolution.

As a result, the Task Force adopted a two-tier committee system which functioned to define interests, issues, and alternatives through a process of negotiation and interaction. This two-tier system consisted of the Task Force and its formal logistical subcommittees (e.g., finance sub-committee) and secondly, a group of sectoral "Negotiating Committees".

Each sectoral negotiating committee was composed of a cross-section of the community of interest on the subject of that committee. Membership was not limited to Task Force members, and in fact was primarily volunteers. Chairpersons were selected by each committee from the committee membership. Negotiating committees were established for the sectors of jobs, environment, tourism, forest industry, mining, aquaculture, fishing, heritage and government. In addition, an informal committee consisting of the community and Regional District representatives of the Task Force began to meet in the Spring of 1990.

The purpose of each negotiating committee was to define the interests of its constituencies, and then to interact with other committees to define issues, alternative solutions and areas of agreement and disagreement.

The primary contact between a negotiating committee and the Task Force was through the negotiating committee chairman, as well as any Task Force members who were also negotiating committee members.

Negotiating committees worked concurrently with the Task Force, often assisted by a facilitator. Inter-committee meetings were scheduled through the office of the Executive Coordinator.

In April 1990, a formal set of "Negotiating Committee Procedures" which outline the tasks and expectations, were adopted by the Task Force and committee chairpersons (see Appendix 3).

Most negotiating committee chairpersons have provided a synopsis of their progress and the outstanding issues which need to be addressed during the sustainable development strategy process. These synopses with supporting information will comprise a building block for any subsequent program to proceed with the strategy. Although the process of negotiating committees has potential usefulness, the Task Force agreed that it was not a comfortable vehicle for the constituencies involved. Some interests were able to clearly identify their needs while others were unable to develop because of positioning over other issues.

3. NEGOTIATIONS ON SHORT-TERM LOGGING ISSUES

Task Force approval of where logging and development work could proceed required the formation of ad hoc negotiating groups made up of key interests surrounding a particular short-term issue. These committees would clearly identify the issues that needed to be resolved, explore any reasonable options for resolution, and attempt to achieve consensus on the options proposed.

Agreements to assure fibre supply and continued employment for MacMillan Bloedel and Fletcher Challenge Canada during the term of the Task Force were reached at a December 1, 1989 meeting. However, Task Force approvals for road construction and other development work that would maintain employment required further negotiations.

Three specific initiatives were undertaken with respect to short-term logging:

1) formation of a committee on "Alternative Harvesting Methods;"
2) formation of a Bedingfield Bay Committee to address fibre supply and continued employment levels for Fletcher Challenge Canada in that portion of Clayoquot Sound within Tree Farm License 46; and,
3) formation of a committee to address MacMillan Bloedel short-term logging issues on Tree Farm License 44.

The short-term logging issues, addressed by the Task Force until September 1990, dominated discussions and detracted from the ability to examine long-term issues of sustainability. This reflects the immediate importance of timber harvesting and environmental protection issues to Task Force members.

3.1 Agreements with Fletcher Challenge Canada Ltd.

On December 1, 1989, representatives from Fletcher Challenge Canada, the District of Tofino, and IWA-Canada reached agreement about logging activity required to maintain employment levels. Terms of the agreement were subject to necessary adjustments to cut block design and configuration to meet environmental requirements of the Ministry of Forests and other resource agencies. Beyond this agreement, it was accepted that additional areas of harvest approval would be needed at a later date in order to maintain employment for road grading and falling crews.

On May 25, 1990, after extensive negotiations about road building in the Shelter Inlet area, representatives of the District of Tofino, the Ministry of Forests, and Fletcher Challenge Ltd. agreed that basic differences in their respective positions eliminated any chance of consensus. The Task Force agreed to refer this matter back to the provincial government for a final decision. All Task Force members were invited to submit their positions on the issue to the government, which convened a joint Federal-Provincial

agency review team to identify sites where logging and road building could proceed. The review team included representatives of the Ministries of Environment and Forests and the federal Department of Fisheries and Oceans, who conducted a site inspection and consulted once again with the parties involved. Recommendations of the review team were adopted by government and subsequently implemented by the Ministry of Forests.

3.2 Agreements with MacMillan Bloedel Ltd.

Alternative Harvest Methods

A December 1, 1989 Task Force agreement involving negotiations among representatives of MacMillan Bloedel, the District of Tofino, and IWA-Canada identified areas where logging would continue subject to showcase conventional methods in one cut block, and trials of alternative logging methods in two other cut blocks in the Tofino Creek area. A subcommittee on alternative logging methods was struck shortly after, at a meeting December 19, 1989, to identify potential methods of harvest and oversee those methods applied in Tofino Creek. A progress report on the development and implementation of the techniques for alternative logging in Tofino Creek was submitted on May 3, 1990.

The agreement on alternative logging methods (December 1, 1989) marks a new development in British Columbia coastal forests. The main intent is to retain old growth characteristics and biological diversity of forest habitat. Examples of techniques include use of non-linear cut boundaries, retention of snags and large woody debris, and abstention from slash burning. As a result of this agreement, a Forestry Awareness seminar was held by the Task Force on February 4 and 5, 1990, with a number of experts on alternative forestry methods.

Integrated Resource Planning Process

Requirements for additional road building for future logging operations in the Tofino Creek area meant that more negotiations were necessary with the Task Force. On July 13, 1990, representatives of MacMillan Bloedel, the District of Tofino, Village of Ucluelet, City of Port Alberni, and Alberni-Clayoquot Regional District agreed that the Ministry of Forests and Ministry of Environment should be asked for their involvement in developing an appropriate process for an Integrated Resource Management Plan for Tofino Creek.

At the September 11, 1990, Task Force meeting, a proposal was adopted for an Integrated Resource Management Planning Process for Tofino Creek, to

be chaired jointly by the two Ministries in consultation with a broad spectrum of parties.

The Task Force recommended the composition of a planning committee to identify necessary management constraints and recommended specific guidelines that would direct development and implementation of the plan.

It was agreed in a meeting in July, 1990, that "interim decisions about timber harvesting would continue to be made for Tofino Creek based on the best information available to parties involved at the time (in keeping with reasonable expectations as to the outcome of the Tofino Creek planning process), and not have to wait for the final plan."

The Tofino Creek planning process is developed as a decision making tool to examine the interests of various resource users. It addresses specific resource uses, issues, and trends, and provides for participation of the community of users. The planning committee is committed to recognize, to the fullest extent possible, the present and future values and the potential for integrated resource management of these values in Tofino Creek. This planning committee will also clearly define the resource management objectives, performance standards and management strategies required to ensure compatibility and sustainability of these values.

Of the processes the Task Force has created and tested, the Tofino Creek Planning Process is considered by all to have the greatest potential for cooperatively arriving at long-term integrated resource management decisions.

3.3 Results of Short-Term Logging Negotiations

In the case of the Bedingfield area and Fletcher Challenge operations, negotiations led to an impasse. With all issues on the table and all alternatives examined, the parties agreed that an impasse had been reached and that the matter should be referred to the regulatory government agencies for resolution. The regulatory agencies, in this case, the Ministries of Environment and Forests, in consultation with federal Fisheries and Oceans, examined the issues and the information, consulted with interested parties and made a decision that would allow continuity of employment and operations.

In the case of MacMillan Bloedel in Tree Farm License 44, an impasse similar to that in Bedingfield seemed imminent. Rather than refer the issue to regulatory agencies for resolution, the committee agreed to develop an Integrated Resource Planning Process for Tofino Creek. The agencies (Ministry of Environment and Forests) proposed a planning process, and planning work is proceeding.

These two approaches dealing with similar circumstances illustrate two mechanisms for decision making:

a) In the Tofino Creek case, a decision making process is being implemented which has maximum community participation. While the Task Force believes that the Tofino Creek process may have application in other forest planning situations, the debate leading to the evolution of that process was undesirable and divisive.

b) As illustrated in the Bedingfield case, there must be the ability to make necessary decisions in the event that consensus fails and an impasse is reached.

At the September 11, 1990 Task Force meeting, a report was tabled identifying the options for resolving MacMillan Bloedel's continuing needs for road building and employment.

A statement issued by the District of Tofino representatives at that meeting indicated they would withhold their participation in reaching consensus on any further short-term requirements proposed by the forest industry.

This position was based on concerns that the short-term issues had dominated the Task Force's agenda and compromised its ability to effectively address the issues of long term sustainability and the protection of environmental values of Clayoquot Sound.

The procedural consequence was that consensus on the short-term issues could not be attained and therefore could no longer be dealt with by the Task Force. Consequently, the government assumed responsibility for the issue outside of the Task Force process.

4. TOWARD THE SUSTAINABLE DEVELOPMENT STRATEGY

4.1 Joint Inventory and Research

In January 1990, the Task Force identified over 100 questions concerning sustainable development in Clayoquot Sound. These ranged from economic and social goals, to sectoral concerns, to community long term sustainability. This was one of the first exercises to involve the broader community.

Amalgamation of Forestry Data Bases

The lack of common forest mapping systems among the Ministry of Forests and the major companies has resulted in difficulty in assessing regional forestry issues. One of the first needs of the Task Force was to obtain an integrated forest data base.

A computer mapping committee of the Task Force which included the Ministry of Forests, Fletcher Challenge Canada and MacMillan Bloedel is working on the amalgamation of computer data bases of forest information for Clayoquot Sound. The type of information, which will be available by mapsheet, area of interest or the entire study area is as follows:

Area (ha) and/or Volume (m3) or a combination

- by leading species or type group (aggregation of species)
- by volume (i.e. 200 m3/ha classes)
- by age class (ie. age class 8 = 141 - 250 yrs., age class 9 = 250 yrs. plus)
- not satisfactorily restocked (N.S.R.) (area only)
- by mature (120 yrs+) and/or immature (1 - 120 yrs)
- by coniferous or deciduous forest
- by site class (good, medium, poor, low)

Other digital resource information can be incorporated into the resulting Geographic Information System (G.I.S.) data base which should be of long term assistance to the new Steering Committee, Government Agencies, forest companies and any follow-up committee formed in the future.

Information Sessions

Several seminars and field trips provided Task Force members and the public with an opportunity to enhance their understanding of some of the resource issues applicable to the sustainable development strategy for Clayoquot Sound.

a) Forestry Awareness Seminar

As noted earlier, a Forestry Awareness Seminar covered mechanical, silvicultural and new forestry concepts concerning alternative harvesting techniques. Presentations were heard from the IWA, Forest Engineering Research Institute, Simon Fraser University, University of British Columbia Faculty of Forestry, Recreational Fisheries Branch of the Ministry of Environment, Ministry of

Forests, Workers Compensation Board, the Washington State Department of Natural Resources and several independent consultants.

A field trip to Tofino Creek provided members with an opportunity to have an on-site discussion of some of the possible techniques. Alternative Logging Committee tours included visits to an experimental forest in Washington State and a private woodlot using alternative forestry methods near Nanaimo.

b) **Tourism Information Session**

A workshop in May 1990 helped Task Force members better understand the factors involved in tourism development. The workshop covered a wide variety of topics including the significance of tourism in international, national, provincial, and local economies, the structure of the industry, the need to plan tourism development in order to achieve sustainability, and the benefits tourism can bring to the Clayoquot Sound region. The importance of tourism resource inventory was suggested as an important step towards resolving conflicts.

Other topics presented were native economic development and tourism statistics, and technological developments that can explore tourism potential, including Geographic Information Systems and resource mapping. Following the workshop, a boat tour of Clayoquot Sound included a visit to the native communities of Ahousaht and Hot Springs Cove.

c) **Mining Information Session**

In September 1990 a Mining Information Session for Task Force members and the public included speakers from the Ministry of Energy, Mines and Petroleum Resources, the B.C. & Yukon Chamber of Mines, and the Ministry of Forests. Topics covered included mineral exploration and mining policy perspectives, mineral potential in Clayoquot Sound, mineral tenure and mineral exploration, the interagency referral system, and the mine development review process. Maps outlining the geology, extent of claim staking, known mineral occurrences and current exploration projects were available for viewing.

Community Studies

In addition to work undertaken by agencies at the request of the Task Force, communities made individual efforts to add to their knowledge base. For example, the Regional District of Alberni-Clayoquot undertook a regional study of the economic benefits of forestry and tourism to the economy, while the District of Tofino, through its sustainable development steering committee, undertook a community values survey among local residents. The Regional District of Alberni-Clayoquot is also organizing an economic diversification information

session for a later date, designed to examine options for diversification in the region. All of the above information, as it becomes available, may supplement information collected for the sustainable development strategy.

Further Research Requirements

Members submitted over 60 specific information requests, many of which would have longer-term usefulness in preparation of the sustainable development strategy. Government agencies provided their most up-to-date information to the Task Force in the month before the October retreat, while acknowledging that information was not always adequate to fully address the questions.

Requests included:

a) **Biodiversity**

Development of wildlife species lists including rare and endangered species, and information on "island" biogeographic theory.

b) **Geographic Information**

Mapping and accurate description of the area already cut by commercial timber harvesting, area of old growth in inoperable or sensitive areas, conservation unit areas (e.g., parks, ecological reserves), aquaculture lease areas, proposed reserve areas, intact watersheds, soil and slope sensitivity.

c) **Fisheries and Forest Resources**

Information detailing commercial versus sports fishing harvest records, salmon returns, revenues from forestry and fishing.

d) **Tourism**

Completion of a tourism resource inventory and identification of the economic effects of tourism, including confirmation of current studies and comparison of timber versus tourism values.

e) **Forestry**

Identification of job numbers per unit of forest in B.C. compared to elsewhere, effects of technological change, willingness to be retrained, trends in timber production and earnings, timber supply from old growth versus second growth, current volume consumption of processing facilities, impacts of various withdrawals from the Annual Allowable Cut.

f) **Social Stability and Community Stability**

Analysis of expectations from economic diversification; identification of the impact of reducing timber supply.

Negotiating Committee Results

Results generated to date from negotiating committees are mixed. Sectoral objectives were defined by every committee, with the exception of the government and heritage committees. Some sectoral objectives and interests are thorough and detailed, while others tend to be stated in more general terms.

Most committees have met with other committees at least once. In some cases, an exchange of interests has led to agreements on shared objectives. For example, the tourism and environment committees have come to some agreements concerning common objectives for environmental quality as it pertains to tourism opportunities. The jobs, forest industry and mining industry committees also appear to have many common objectives.

Other cases exist where there has been significant discussion of issues, but no agreements have been made (e.g., fishing and aquaculture).

The most work remains between those committees with the most difficult issues in common (e.g., environmental protection and forest industry interests).

The heritage committee was struck to represent the interests of Native culture. This committee experienced problems with representation during the most active period of committee work due to Native land claim issues beyond the scope of the Task Force.

In general, the Task Force has concluded that participants did not find the negotiating committee process to be an effective mechanism for negotiating resolution to competing interests. While the process was attempted in good faith, it failed in a number of elements.

Participants found difficulty in identifying interests apart from positions, and in developing those interests in a fashion suitable to negotiation. As a result, competing interests were not generally well-defined, and results from committee work were very uneven. The short-term logging debate also found its way into many inter-committee meetings and impeded progress.

Most negotiating committees have provided a summary report to the Task Force outlining interests, agreements and areas requiring further work. These summaries and the background information generated by each committee will be important in the next phase of strategy development.

Examples of sectoral objectives generated from negotiating committee work are listed in Appendix 4.

4.3 Community Meetings

Although Task Force meetings were open to public attendance, the Task Force also initiated community meetings in Tofino, Ucluelet and Port Alberni to provide local residents with more opportunity to contribute to the sustainable development strategy process. The meetings also enabled the Task Force to update the public on current activities and to discuss many of the issues under consideration. Regular updates of Task Force activities were mailed out to members of the public who had requested more information. The mailing list of those who registered an interest includes 450 people or organizations. An official "mid-term" update of Task Force activities was released in September 1990, with a distribution of 12,000 through the daily and weekly papers servicing the area.

5. UNDERTAKING THE SUSTAINABLE DEVELOPMENT STRATEGY

At the September 11, 1990 meeting the members requested that Robert Prescott-Allen, a mutually acceptable expert on sustainable development strategies, be asked to submit a set of principles of sustainable development and a detailed outline of what is included in a sustainable development strategy, for review and adoption at a Task Force three-day retreat in October 1990. The Executive Director of the Round Table on the Environment and Economy was also invited to provide insights to the Task Force on how the Round Table viewed principles of sustainable development and how preparation of the provincial sustainable development strategy was proceeding.

The purpose of the October 1990 Task Force retreat was to discuss how a sustainable development strategy would be undertaken, what information would be required, what the geographic scope and the method of preparation should be.

The most contentious issues on the agenda included future conservation and development actions and how new short-term issues would be dealt with while a strategy is being prepared.

5.1 Principles of Sustainability

At the October retreat of the Task Force, principles of sustainable development and detailed descriptions of the principles were tabled by Robert Prescott-Allen and approved in principle, but not verbatim by the Task Force. The set of seven working principles are as follows:

1) Limit human impact on the planet to a level that is within its carrying capacity;

2) Maintain the stock of biological wealth;

3) Minimize the depletion of nonrenewable resources;

4) Promote long-term economic development that increases the benefits from a given stock of resources and maintains natural wealth;

5) Aim for an equitable distribution of the benefits and costs of resource use and environmental management;

6) Provide for effective participation of communities and interest groups in the decisions that most affect them; and

7) Promote values that help achieve sustainability;

A detailed description of the principles appears in Appendix 5.

At the November 20, 1990 meeting of the Task Force, a revised version of the principles was proposed based on discussions at the October retreat. This revised version also appears in Appendix 5. The Task Force agreed that these principles require refinement for future strategy development and that the mechanism to achieve that would be a committee as described in Section 5.5.

5.2 Process for a Sustainable Development Strategy for Clayoquot Sound

Sustainable Development strategies are efforts of collaborative problem solving in which all interest groups are involved in planning and policy making and undertaking actions to implement policies. They are highly participatory, but they go further by including the actions needed to turn the plans and policies into results. More than 60 sustainable development strategies are being prepared in some 50 countries, both in developing countries (e.g., Latin America, Africa) and developed countries (e.g., Europe, Australia).

The number of local sustainable development strategies is not known. In the state of Victoria, Australia, which provides specifically for their preparation, there have been at least three so far. Worldwide, the preparation of such strategies has been adopted as the best method to harmonize environmental, social and economic objectives.

Functions and Components of the Strategy

The functions of the strategy are to:

- Assemble and analyze the information necessary for sound decisions on economic development, environmental conservation, and their integration;
- Provide participants with various sustainable development options;
- Provide a forum and a process through which each participating community can achieve general agreement on the sustainable development of the area; and
- Provide a mechanism for developing a constructive dialogue and reaching agreement among communities, government, industry, and other interest groups on the sustainable development of the area.

Based upon successful experiences elsewhere, there are four essential components:

1) **Consultation and consensus building**, which provides a forum through which participants can build a consensus on the sustainable development of their region. It can include public meetings and workshops, opinion surveys, submissions, and group discussions within communities. Preparing a strategy is a powerful way of undertaking mutual education about interests. Consensus in development of a strategy means general agreement.

2) **Information assembly and analysis**, which garners available information on the people, the economy, and the environment available from submissions and reports. Strategies assemble available information; they are not major research efforts although important questions can be examined in the course of the strategy if it does not extend the time frame of the strategy.

3) **Policy formulation**, developed on the basis of consultation and information analysis. It sets out agreed policies to develop an economy that is sustainable, coordinate resources among sectors, promote security of resources for each sector, and improve decision making and resolve conflicts.

4) **Action planning and implementation**, which will set out how the participating interests will implement the agreed policies, through strategic directions and specific actions to be undertaken over a given time frame.

National and sub-national strategies can be developed in a two-year span, but may take longer. Local strategies usually take less time, approximately 15-18 months, depending on the complexities. A local strategy by a single municipality can be developed within a year. Strategies involving several communities are likely to require more time, because of the need to reach agreement among them all.

The results of a strategy are the agreed policies and the actions taken to put the policies into practice. A key step in the development of a strategy is the preparation of a strategy document. This describes the people, economy, and environment of the area and sets out the agreed policies and action plan.

A detailed procedure for achieving a strategy in Clayoquot Sound was proposed and adopted in general by the Task Force at its October 1990 retreat. The procedure and schedule for completion of the strategy, which will be refined in the future, appears in Appendix 6.

A Steering Committee for Undertaking the Strategy

The Task Force agreed that a Steering Committee should be established that is representative of the main communities and interests with a stake in the area, including a balance of residents inside and outside the study area.

The chairperson should be an impartial individual chosen by the Steering Committee. If the Committee fails to agree, the provincial government should appoint the chairperson. The composition of the Steering Committee is agreed to as follows:

Nuu-chah-nulth Tribal Council	1 representative	
Tofino	1 representative	
Port Alberni	1 representative	
Ucluelet	1 representative	
Regional District	1 representative	
Aquaculture interests	1 representative	(resident in Clayoquot Sound)
Environment interests	1 representative	(resident in Clayoquot Sound)
Fishing interests	1 representative	(resident in Clayoquot Sound)
Labour interests	1 representative	
Mining interests	1 representative	
Small business interests (general)	1 representative	(resident in Clayoquot Sound)
Timber interests	3 representatives	(2 TFL holders + 1 small business forestry representative)
Tourism interests	1 representative	(resident in Clayoquot Sound)
Ministry of Environment	1 representative	
Ministry of Forests	1 representative	
Ministry of Regional & Economic Development	1 representative	
Ministry of Agriculture & Fisheries	1 representative	
Ministry of Energy, Mines & Petroleum Resources	1 representative	
Ministry of Tourism	1 representative	

Each community is responsible for establishing its own mechanism, such as a steering or coordinating group, to coordinate and facilitate the consultation and consensus building within the community. In addition to a Steering Committee, strategy development requires a secretariat consisting of a Strategy Director, an Information Officer and an assistant.

The secretariat undertakes the day-to-day management of the strategy's development. It is responsible for organizing consultation and consensus building, assembly and analysis of information, and drafting the strategy document. The secretariat also produces a newsletter to keep everyone informed of the strategy's progress.

Outline of the Strategy Document

The Strategy Document will be prepared by the secretariat and will be the formal statement of the participants in the strategy on the sustainable development of Clayoquot Sound. It would be in three parts:

a) **Description**

- Current economy of the participating communities; the importance of each sector for income (personal, municipal, provincial), employment, and lifestyle; the economic importance of Clayoquot Sound to each community and sector; the resource base of each sector; interactions among the sectors; the sustainability of each sector.

- The environment and natural resources of Clayoquot Sound status and trends.

- The spectrum of values and perceptions held by people in the participating communities, and the quality of life and the environment and resources of Clayoquot Sound and their own neighborhood. Perceptions of people in the participating communities on what they feel are the main resource/ environment issues, the environmental changes they have witnessed, the resource/ environment problems that concern them and how they could be solved.

- Sustainable development goals of the participating communities, including how and to what extent the communities would like each sector to be developed, bearing in mind the need for such development to be sustainable.

- The biological/environmental resources needed (1) to maintain the current economy; (2) to enable it to develop in the desired manner; (3) to maintain and enhance the quality of life of the people of the participating communities. The extent to which the necessary environmental resources have been secured.

b) **Policy**

- Development policies needed for the economy to develop in the desired manner including, where necessary, compensation for the effects of conservation actions.

- Conservation policies (protected areas, zoning, user management agreements, economic incentives, regulations, etc.) required to secure the necessary environmental resources.

- Procedures for improved decision making, resolving future disputes, and facilitating the integration of development and conservation policies.

c) **Action**

- An integrated action plan, combining the development and conservation actions required for the sustainable development of each community and sector, and (1) agreeing actions to be taken by the participants; (2) recommending actions to be taken by the Provincial Government; (3) recommending actions to be taken by others (local businesses; local community groups; and the Federal Government).

5.3 A Mechanism for Forest Sector Decision- Making in the Interim Period

At its October workshop, the Task Force also discussed the need to make decisions about interim conservation and development actions during the period of strategy development. The Task Force agreed that, where necessary in the short-term, regulatory agencies of the provincial government would establish a decision-making process to facilitate decisions on conservation and development actions. This decision-making process will operate during the interim period of strategy development and will be separate from the process of the Sustainable Development Steering Committee.

The process subsequently described by the Provincial government is set out in Appendix 7 and envisages the ability to consult among regulatory agencies and interest groups on a more or less intensive basis as dictated by the sensitivity of the issues addressed.

5.4 Sustainable Development Strategy and the Old Growth Project

In September, 1990, the chairman of the Old Growth Strategy Project advised the Task Force that it could make recommendations with respect to conservation of critical old growth areas in Clayoquot Sound. Consequently, the Conservation of Areas Team in the Old Growth Project did not address deferral of sensitive areas from logging within Clayoquot Sound.

The Task Force did not have an opportunity to address the Old Growth issue referred to it and has agreed to refer the matter of Old Growth deferrals to the Steering Committee, with the understanding that if the Steering Committee cannot agree on short-term deferrals, it should be dealt with through the government decision making process referred to in Section 5.3. One member of the Task Force abstained from the agreement and expressed the view that the matter should not be referred to the Steering Committee.

5.5 Transfer Sub-Committee

During the hiatus between the final meeting of the current Task Force and the establishment of the restructured Steering Committee, the Task Force found it necessary to form a Transfer Sub-Committee.

The purpose of this sub-committee is to act on behalf of the Task Force to:

a) refine principles of sustainable development to improve direction to the Steering Committee;

b) work with an interim Strategy Director in the constitution of membership for the Steering Committee (a final choice of Strategy Director will be made by the Steering Committee following its formation);

c) to deal with issues arising from the final report of the Task Force; and,

d) to act as a decision mechanism for an interim Strategy Director for issues arising from the transition of the project to the Steering Committee.

This committee will disband when the interim Strategy Director is satisfied that the Steering Committee exists as a functional entity (see Appendix 9).

6. CONCLUSIONS AND RECOMMENDATIONS

6.1 Conclusions

Through its endeavors, the Clayoquot Sound Sustainable Development Task Force has functioned in good faith within its Terms of Reference, and in doing so has encountered the inadequacies and strengths of this "experimental" approach to resolving land use conflicts. While some formal agreements had been reached (see Appendix 8) the Task Force has evolved to the point where it has concluded that the committee structure and process require re-shaping if a sustainable development strategy is to be achieved for Clayoquot Sound. Therefore, while this is the final report of the Clayoquot Sound Sustainable Development Task Force, it must be viewed as coming at an interim stage in the process of strategy development.

The Task Force work has culminated in specific recommendations to government for a restructured Steering Committee, a Strategy Director as project manager, and a well-defined process for building the strategy.

While this restructuring process is not the outcome anticipated by the original Terms of Reference, the Task Force work has led to a number of conclusions related to problematic elements of process from which future initiatives can benefit as follows:

a) While terms of reference serve to provide direction initially, there should be mechanisms built in for those who are working with the Terms of Reference to make refinements and request clarifications.

b) It appears from Task Force experience to be unrealistic for a long-term strategic group to also be charged with the responsibility for short-term development decisions. These mechanisms should be clearly separate, but with the ability to exchange views.

c) If processes of negotiation are to be effective, all parties with a stake in the outcome must be consulted about their participation and representation prior to approval of the Terms of Reference. There should also be a means by which peripheral interests and constituents can have input from time to time and review results.

d) The negotiating committee structure did not produce the desired results, but was an important experience in community participation and information sharing which will help the Steering Committee during its deliberations.

e) The emergence of the Tofino Creek Integrated Resource Planning Process is considered a positive outcome. The model being implemented there should be examined for applications elsewhere in similar circumstances.

f) The Terms of Reference were generally too ambitious given the time frame and the resources available. Precise time frames for multi-sector initiatives of this type, particularly where there has been a history of heated public debate, cannot be easily predicted. A significant element to successful process is Government commitment to resources and the Terms of Reference.

6.2 Recommendations

The Clayoquot Sound Sustainable Development Task Force, by way of this final report, recommends that:

a) The Clayoquot Sound process as contemplated by the original Terms of Reference not be used as a model in other areas in British Columbia.

b) Government adopt the proposal for the preparation of the sustainable development strategy as detailed in this report in Section 5 and in Appendix 6, including the time frame.

c) Government proceed immediately with the appointment of Robert Prescott-Allen as an interim Strategy Director in order to establish a strategy office and facilitate membership in the restructured Sustainable Development Steering Committee, as described in Section 5.2 of this report.

d) Government support a strategy office and required infrastructure within the government system.

e) As per the interim decision mechanism described in Appendix 7, decisions respecting short-term resource development be made in a forum separate from the preparation of the long-term strategy, with the provision that short-term decisions should not compromise the achievement of the long-term strategy.

f) The Ministries of Forests and Environment proceed immediately with implementation of the interim forest sector decision-making process described in Appendix 7.

APPENDIX 1
CLAYQUOT SOUND SUSTAINABLE DEVELOPMENT TASK FORCE

TERMS OF REFERENCE AND PROCEDURAL GROUND RULES

TERMS OF REFERENCE

The Terms of Reference and composition of the Task Force were announced on August 4, 1989 as follows:

- The Task Force will comprise twelve members plus a chairman. The members will represent the following agencies and organizations:

  Alberni-Clayoquot Regional District
  City of Port Alberni
  District of Tofino (3 members)
  Fletcher Challenge Canada
  International Woodworkers of America
  MacMillan Bloedel Ltd.
  Ministry of Environment
  Ministry of Regional and Economic Development
  Nuu-Chah-Nulth Tribal Council
  Village of Ucluelet

- A neutral chairman skilled in techniques of mediation and consensus building will be appointed to lead the Task Force.

- The objective of the Task Force will be to prepare a sustainable development strategy for Clayoquot Sound ensuring that all aspects of present and future development are addressed, including social concerns, aesthetics, and economic development opportunities and requirements of all the resource sectors including forestry, mining, tourism, fishing and aquaculture. The Task Force will produce recommendations which will promote long-term economic development in Clayoquot Sound while safeguarding the integrity of the local environment.

- The Task Force will report to the Ministers of Environment, and Regional and Economic Development within one year.

- Within the first three months the Task Force will identify areas where timber harvesting can continue in the short term so that disruption to the logging industry during the planning period is minimized.

- The normal forestry planning process will not commence until after the Task Force has made its recommendations to the ministers.

- Subsequent forestry planning will be carried out within the framework of the recommendations made by the Task Force and approved by Cabinet.

- The Task Force will function as a dispute resolution mechanism and will operate on a consensus basis. Members will be asked to endorse and abide by a set of procedural ground rules.

- The Province will pay the expenses of the chairman, and provide up to $50,000 for joint inventory and research activities.

PROCEDURAL GROUND RULES

A. Task Force Objective

To prepare a sustainable development strategy for Clayoquot Sound, ensuring that all aspects of present and future development are addressed, including social concerns, aesthetics, and economic development opportunities and requirements of all the resource sectors including forestry, mining, tourism, fishing and aquaculture. The Task Force will produce recommendations which will promote long-term economic development in Clayoquot Sound while safeguarding the integrity of the local environment.

B. Ground Rules Meeting Content

- Meetings will be task-orientated with specific agendas.
- Participants will fully explore issues, recognizing time limitations and size of the Task Force.
- Participants commit to search for opportunities and creative solutions.
- All participants in the Task Force will seek to clearly articulate their concerns and goals regarding the issues.
- All participants will recognize the legitimacy of the concerns and goals of others.
- Participants will enter into a dialogue that includes listening carefully, asking questions, and educating others regarding needs. The atmosphere will be problem solving, rather than confrontational.

Communications During Process

- All of the individuals who are participating in the Task Force accept the responsibility to keep their associates and constituency groups informed of the progress of the discussions and to seek advice and comments.
- A joint statement suitable for discussion with the press will be agreed to at the end of each closed meeting. When responding to the press, participants shall respond within the spirit of the press statement agreed to at the conclusion of each session.
- Participants will not characterize or discuss specific statements or suggestions made during the closed discussions in their conversations with the public or press.
- Participants wishing to disseminate material will inform the Task Force in advance, and will defer to consensus on whether the material should be released.

Consensus

Consensus is defined as agreement of all participants.

- The goal is to reach consensus on as many issues as possible before the Task Force.
- In the absense of consensus, the Task Force will report to the Ministers on areas of agreement and disagreement; agreeing on where they disagree as well as where they agree but will not be tied down to individual members.
- Disagreements will not be presented in terms of the members for or against.
- There will be a single report encompassing both agreement and any disagreement.

Reports

- All reports will be reviewed by and approved by the Task Force.

Sub-committees

- Composition of sub-committees, if established, will be balanced among the interests represented on the Task Force. The charge of the sub-committees will be to refine issues, search for data, identify relevant experts and possibly present a range of alternatives. The sub-committees will function on the direction of the Task Force.

Observers

- Alternates may be used. The agencies and organizations represented on the Task Force can designate an alternate member to the Task Force.
- Task Force members may invite nonparticipating observer(s); observers will not sit at the table with Task Force members.
- Any statements made to the media will be made by Allan Hope, as agreed to by the Task Force. Members will be reporting back to their respective bodies and the media will cover that.

APPENDIX 2

BRIEFING MEMORANDUMS

BRIEFING MEMORANDUM NO. 1

October 16, 1989

Since our first meeting on October 1, 1989, a number of issues have arisen that require addressing.

Background

1) There are ten "agencies and organizations" designated in the Terms of Reference (T/R) as having the right to appoint members to the Task Force. For convenience I will refer to them as interest groups. I will refer to Task Force appointees as members.

2) The creation of the Task Force was announced on August 4, 1989 in a news release issued jointly by Environment Minister Bruce Strachan and Regional Development Minister Elwood Veitch (copy attached).

3) Nine of the ten interest groups have appointed members to the Task Force. The Nuu-chah-nulth Tribal Council has not appointed a member but a representative will attend our next meeting.

4) In the August 4, 1989 news release the founding ministers made the following statement:

   The standard Forest Industry Planning Process for the area has been suspended until the Task Force submits its recommendation to the ministers. Within three months, the Task Force will identify areas where timber harvesting can continue in the short term.
   It was not stated expressly whether the three months commences from August 4, 1989 or from the date of our first meeting. Clarification of the intention is impractical and the issue must be resolved by consensus.

5) In our first meeting there was no consensus reached with respect to whether the statement, "within three months," meant three months from August 4, 1989 or three months from some later date.

6) The scope of the moratorium was not defined expressly. However, the chairman was able to obtain clarification that it does not apply to existing cutting permits or amendments in progress (See letter to Ministry of Forests, attached).

7) A map was presented that is being amended which depicts the basic geographic area falling within the Terms of Reference of the Task Force.

Commentary

1) I am of the view that there is some difficulty emanating from a lack of understanding of our process. It may be helpful for all members to understand that our designation as a

Task Force and my title as chairman are misleading. The process in which we are engaged is a mediation process. My role is that of a mediator. I am designated as chairman for convenience in terms of convening formal meetings of the group.

2) I am enclosing a brief article that outlines the mediation process in summary form. When we have completed our preliminary examination of the issues, I hope to arrange a training course for members on the process and how it functions in this type of dispute.

3) It is important to realize that mediation is not a decision-making process as such, it is a dispute resolution process. The role of the mediator is to pursue consensus in the context of the objective defined in the Terms of Reference. That role is pursued in meetings and, more frequently, outside of meetings. It occurs in discussion one-on-one with members and in discussions with the interest groups and their representatives outside of formal meetings. When we have addressed the three month issues we will develop in a more structured fashion and I can elaborate on how the process works.

4) The mediation process can be disturbing to persons who are unfamiliar with the techniques applied. One of the more controversial techniques is the devil's advocate role the mediator adopts in representing the position of one interest group to a member or members representing other interest groups.

5) That activity requires the mediator to develop and reflect the position of one of the parties. To persons inexperienced in the process, the technique can raise an apprehension of bias. However, the technique is essential to the refining and ultimate resolution of competing interests and positions.

6) The mediation process includes the following steps:
   i) Identify all interest groups;
   ii) Ensure that all interest groups are represented;
   iii) Identify the position of each group in the dispute;
   iv) Pursue the compromise of the competing positions toward an acceptable resolution of the dispute.

7) I am not sure that we have representatives of all interest groups at the table. I am sure that not all parties at the table are able to define their position at this time. To be successful, those are necessary first steps in the process that must be achieved.

8) The skills required of the members in the mediation process have been well defined. They include:

i) An ability to listen to other parties;
ii) A willingness to consider compromise solutions;
iii) An understanding of and an ability to practice, the basic techniques of negotiation;
iv) An ability to understand and define the issues in dispute;
v) An understanding of the "devil's advocate" role in mediation.

I will elaborate on those skills and define them in the context of this dispute as we proceed.

9) Mediation in a complex dispute involves consensus building, a laborious and frequently frustrating technique that requires patience and an ability to adapt adversarial postures to the process of negotiated compromises. I intend to try to ensure that all members of the Task Force will become familiar with the basic tenets of mediation so they can become comfortable with the process and make a positive contribution to it.

Agenda

1) Our next meeting is a sub-committee meeting fixed to proceed in Ucluelet on October 19, 1989.

2) The primary issue to be addressed by the sub-committee is the three-month moratorium.

3) The position of FCC and Mac-Blo, as I understand it, is that areas of Clayoquot Sound that are not sensitive should be identified so that normal logging can continue.

4) My understanding of the position of Tofino, to the extent it has been defined, is that there are sensitive areas in Clayoquot Sound that should not be logged. I am not aware that those areas have been identified. Presumably the identification of those areas, ipso facto, will define areas that are not sensitive. Those questions will be addressed at the meeting.

5) We will, at the request of Ms. Husband, review and clarify dealings with the media by individual members.

6) We will attempt to schedule future meetings as far in advance as possible and to develop an agenda for them.

7) Members who want matters discussed at the sub-committee meetings are requested, if possible, to advise Ms. Hamilton in advance of the meeting.

Allan Hope,
Chairman

BRIEFING MEMORANDUM NO. 2

October 26, 1989

Introduction

This memorandum is intended to review the constitution of the Task Force and its impact on the short-term logging issue. The Task Force was established on August 4, 1989 with the publication of the Terms of Reference. Ten agencies and organizations were designated as having a right to appoint members, with the District of Tofino having a three-member entitlement. Tofino designated its three members on October 10, 1989 and is in the process of selecting alternatives. The Nuu-chah-nulth Tribal Council is entitled to one member and is presently in the process of reviewing whether it will participate in the Task Force.

The constitution of the Task Force is a complicating factor in the short-term logging issue. In particular, if that issue is to be determined by the Task Force, it must be determined by consensus between all members. The Tribal Council does not consider itself free to address the short-term logging issue until the question of its participation in the Task Force has been resolved. The purpose of this memorandum is to inform other members of the status of the Tribal Council in its consideration of the question of membership. Following are the facts as I understand them:

1) The issue of appointing a representative was addressed by the Tribal Council sometime after the announcement of the formation of the Task Force on August 4, 1989. The Tribal Council voted to refer the issue of representation to what was then perceived as the two Bands involved, being the Clayoquot Band and the Ahousaht Band.

2) I was appointed chairman of the Task Force on August 31, 1989. Tentative arrangements were made to hold a founding meeting of the Task Force members on September 19, 1989. The meeting was later adjourned to October 11, 1989 at the request of Tofino. I contacted officers of the Tribal Council on September 14 and was informed of the decision to refer the matter to the two Bands.

3) The adjournment requested by Tofino was to accommodate the appointment of the Tofino members. Those appointments were made on October 10, 1989 and the first meeting took place in Tofino the following day. On September 14, 1989, I contacted the two Bands by letter and by fax message inviting them to participate in the first meeting of the Task Force, which was then scheduled for October 11, 1989.

4) The Bands did not appoint a representative to attend the first meeting but were represented by Andrew Callicum at the first sub-committee meeting, which was held in Ucluelet on October 19, 1989.

5) The representative designated by the Bands is Nelson Keitlah, one of three co-chairman of the Tribal Council, with the other two co-chairmen, being Mr. Callicum and Richard Watts, named as his alternates. Mr. Callicum attended on behalf of the Council in Ucluelet on October 19, 1989. Rather than risk misquoting Mr. Callicum, I will report my understanding of what he said at the meeting and leave it open to him to correct me if I misunderstood him. He said:

   i) That the issue of representation by the Native Peoples on the Task Force had been delegated by the Council to the two Bands in the area affected.

   ii) That the Bands had designated Nelson Keitlah, the newly-elected co-chairman of the Council for the area involved in the Task Force study, to act as their representative on the Task Force with Mr. Callicum and Richard Watts, the two other co-chairmen as his alternates.

   iii) Mr. Callicum reiterated that he had no mandate to commit the Native People to any decision on the short-term logging issues. He repeated the concern of his people with respect to past logging practices. He agreed to attempt to arrange an early meeting with representative of the Council or the Bands involved to facilitate consideration of the short-term logging issues.

6) The meeting with the Native Peoples was arranged and took place in Vancouver on October 25, 1989. It was attended on behalf of the council by Mr. Keitlah and his two alternates, Mr. Callicum and Mr. Watts. In addition, several Native leaders, including leaders from the Bands involved in the study area, attended. Attending from the Task Force were myself as chairman, Mr. McMullan on behalf of Fletcher Challenge, Mr. Dowling on behalf of MacMillan Bloedel and Dave Haggard on behalf of the IWA.

   The small business users in the area affected by the Task Force were represented by Paul Pashnik. In addition, several of the technical people who attended the meeting in Ucluelet to provide details of the Fletcher Challenge, MacMillan Bloedel and small business proposals were present to provide the same details for the Native Peoples.

7) The initiative was not well received. I gave a brief introduction and advised the Native leaders that they would be asked to consider whether they had a position on adding the Ministry of Forests to the Task Force and whether they had any objections to the short-term logging proposals. The reaction to the introduction was adverse, at

least on the part of those Native leaders who addressed the issue. In the result, the Native leaders advised that they wanted to meet in caucus. When the meeting resumed, they advised that they did not want to hear anything further. We were advised that they propose to consider whether the Native Peoples will participate in the Task Force.

8) The position taken by the Native Peoples creates a dilemma for the Task Force with respect to the short term logging issues. The Terms of Reference provide that the Tribal Council is a member of the Task Force and that the consent of the council is therefore required to achieve consensus on any issue, including the short-term logging issues.

9) The position of the Tribal Council appears to be that the mandate of the Task Force generally and the short term logging issues specifically are not the responsibility of the Tribal Council. That position, at least nominally, would leave the remainder of the Task Force members free to pursue consensus on the short-term logging issue without achieving the agreement of the Tribal Council. However, once again, I have a concern about whether I correctly understood the position of the Native leaders and I want to avoid any further misunderstandings. For that reason, as with Mr. Callicum, I will set out the position as I understand it and leave it open to anyone, including the Native leaders, to correct that understanding:

i) The Task Force is seen by some Native leaders as an initiative that may have been mounted to deflect attention from serious environmental issues raised with respect to development policies generally in Clayoquot Sound and may have the effect of compromising Native land claims at issue in the study area.

ii) The leaders take the position that the Native Peoples are a first nation with legitimate claims against the lands in the study area over which the federal and provincial governments now assert dominion. Therefore the Tribal Council believes it should not be perceived simply as one of ten organizations having an interest but should be recognized as a sovereign body with a valid legal claim pending against the lands.

iii) The development of any lands falling within the study area represents to the leaders a form of alienation of the title asserted by the Native Peoples. The leaders were of the view that the Native Peoples should have been approached by the provincial government to participate in the decision to establish to Task Force rather than be called upon to participate in it on the some

level as users such as forest companies who hold timber licences and whose claims arise by alienation of title rather than by claims of eminent domain.

iv) Some of the Native leaders were concerned that, as chairman, I was representing the interest of the logging companies on the Task Force and was simply seeking to facilitate their continuing right to log.

v) In addition to the broad issues of principle, some of the Native leaders had specific concerns about particular logging practices that had occurred in the past. There was a pronounced skepticism about whether the Task Force represented a legitimate avenue through which the Native Peoples could exert influence over decisions affecting them in the future.

vi) There was a concern that the Native Peoples, who see themselves as a first nation in the area, receive no benefit from logging development and are denied employment and other benefits associated with logging.

vii) The Native leaders advised that they will consider whether they will participate further in the Task Force. In particular, they wrote to the Premier of the Province on November 2, 1989, proposing the conclusion of an accord with the provincial government with respect to participation in the Task Force. That initiative is being discussed and remains under consideration.

viii) In the interim, the leaders wanted it made clear that they were not consulted with respect to the establishment of the Task Force or the designation of the Tribal Council as having a right of representation on it and that they cannot be held accountable with respect to any adverse impact on logging brought about by the moratorium.

ix) I concluded from the discussion that the Native Peoples, while they did not take any position with respect to the short-term logging issues, would consider it discourteous and perhaps an act of bad faith for the Task Force to make a decision on that issue before the Native Peoples have had an opportunity to conclude the question of their participation in the Task Force and whether they will take a position on those issues.

Summary

I will keep the Task Force members advised of progress with respect to the discussion between the Native Peoples and the provincial government. The major significance of that issue at this stage is its implication in terms of the short-term logging dispute. I have addressed that issue in a separate memorandum. In particular, if we are unable to reach consensus in a timely fashion, we will be required to file an interim report which addressed that failure and its implications.

Allan Hope,
Chairman

BRIEFING MEMORANDUM NO. 3

November 6, 1989

Introduction

This memorandum addresses the short-term logging issue and its status. That issue continued to confront the Task Force and to complicate the process. The meeting scheduled to take place in Port Alberni on November 9, 1989 has been postponed. It was postponed for a number of reasons, one of which is the absence of consensus with respect to the short-term logging issue.

Discussion

1) The anticipation is that the adjourned meeting will be held in Port Alberni on December 1, 1989. You will receive confirmation of that fact shortly. One of the principal issues to be addressed in the Port Alberni meeting will be the short-term logging issue. In particular, if no consensus is reached at or before that meeting, the Task Force will be required to file an interim report with the provincial government recording the absence of consensus and referring the matter back to the government for its further consideration.

2) I am anxious to ensure that a failure of consensus on the short-term issue does not impede the Task Force in pursuing its objective. The purpose of this memorandum is to review the short-term issue and, hopefully, to put it in perspective in the context of the defined objective.

Background

1) The Task Force was established with the publication of our Terms of Reference and the announcement of its formation in a news release dated August 4, 1989. In the news release it was announced that "the standard forest industry planning process for the area has been suspended until the Task Force submits its recommendation." The term, "the area," was not defined but was subsequently designated as including an area that has a direct impact on current programs in the logging industry.

2) In the Terms of Reference the restriction on logging was addressed in the following terms: "the normal forestry planning process will not commence until after the Task Force has made its recommendation to the ministers." The comments in the news release and the Terms of Reference have been treated by the Ministry of Forests as constituting a moratorium on logging in the study area, a fact that has resulted in the suspension of all logging activities that require Forest Service approval until they have received Task Force approval.

3) The news release and Terms of Reference provide that the Task Force is to report to the provincial government within one year. In the news release the mandate requires

the Task Force to "submit its final recommendations" in one year. The Terms of Reference provide simply that "the Task Force will report" within one year. Neither document addressed the question of when the one-year period is to commence.

4) The decision making power of the Task Force in identifying areas where logging can continue in the short term is limited to consensus. The Terms of Reference designate ten "agencies and organizations" as constituting the Task Force. Nine of the ten constituent bodies are entitled to representation by a single member. The District of Tofino is entitled to three members. Thus, consensus requires the assent of twelve Task Force members representing ten constituent bodies.

5) The Task Force is not yet fully constitute in the sense that not all bodies have appointed members to it. In particular, the Nuu-chah-nulth Tribal Council has the question of its participation under review with the provincial government.

6) In our first meeting on October 11 the Task Force was not able to agree on when our one-year term was to commence or what was meant by the phrase, "within the first three months," with respect to identifying areas where logging could continue in the short term. The spectrum of difference was that some Task Force members considered that our one year term commenced on August 4, 1989 and expired on August 4, 1990. Coincidentally, those same members were of the view that the three-month period commenced on August 4, 1989, and is thus due to expire on August 4, 1990. The contrary view was that both our one year term and the three month review period commenced on the date of our first meeting, October 11, 1989.

7) The Task Force left those questions in abeyance and agreed to pursue consensus on the short-term logging issues in a subcommittee meeting held in Ucluelet on October 19, 1989.

8) That Ucluelet meeting was attended by representatives of all constituent bodies, including the Tribal Council. The Council was represented by Andrew Callicum, one of three newly elected co-chairmen of the Council.

9) The meeting in Ucluelet did not result in consensus with respect to the short-term logging issues and the meeting was adjourned on the understanding that the concurrence of the Tofino members and the Tribal Council representatives would be pursued directly by the Forest Service and representative of the logging companies. I have reported to you separately on the status of the discussions with the

Tribal Council. The discussions with the Tofino members are ongoing and it is not clear whether they will be able to reach agreement.

Conclusion

1) It is important for all members of the Task Force to realize that the short-term logging issues do not form part of the objective defined in the Terms of Reference. That objective is for the Task Force to attempt to agree on a sustainable development strategy for Clayoquot Sound. The short-term logging issue arose of necessity because of the moratorium.

2) In discussions with various Task Force members I am aware that there is considerable confusion with respect to what was intended with respect to the short-term logging problems. In particular, the question asked is how there can be a moratorium on one hand and a requirement to ensure that logging continues without disruption on the other hand. There has been further discussion about what was meant by the term, "disruption to the logging industry during the planning period is minimized."

3) Some members of the Task Force, particularly those who were consulted prior to the writing of the Terms of Reference, are of the understanding that the Government did not intend to have any job loss in the forest industry occasioned by the Task Force study. The intention as between the moratorium and the short-term logging proposal was to have the logging companies restructure their operation so as to respect areas deemed sensitive to the greatest extent possible without job loss and with a minimum of disruption to the operations.

4) In summary, it is my understanding that it was not contemplated by the Government that there would be a halt to logging operations. Rather, it was contemplated that the Task Force, by consensus, would identify sensitive areas and would seek to amend or modify existing logging programs so as to achieve continued employment and minimal disruption to the industry and, at the same time, to respect areas of sensitivity to the greatest extent possible.

5) In the event there is continued controversy with respect to the intentions of the Government in the Terms of Reference with respect to the short-term logging issue, it can be addressed at our next meeting by the Provincial Government members appointed to the Task Force.

6) It is my understanding from the logging company members on the Task Force that there is sufficient logging available to maintain operations until after our December 1, 1989 meeting. However, a decision at that time is necessary if significant disruption and possible job loss is to be avoided.

7) In the event that we fail to achieve consensus on that issue, we will be required to prepare an interim report referring the matter back to the Provincial Government. I hope that result can be avoided.

Allan Hope,
Chairman

BRIEFING MEMORANDUM NO. 4

November 27, 1989

I anticipate that our meeting on December 1, 1989 may be consumed by the short-term logging issues. Tofino has been meeting with the industry and the IWA on that issue. The expectation is that they will have developed positions that the Task Force members can consider on December 1, as a basis for resolving that preliminary dispute.

In anticipation that the short-term logging issue may be resolved, I have made tentative arrangements for the conduct of a seminar in the week of January 8, 1990 on the mediation process and its application to our dispute. If the short-term logging issue is resolved, we can discuss a location and specific date for what I anticipate will be a one-day seminar.

In addition, if time permits, we can discuss an agenda at our December 1 meeting for the period prior to the seminar. If you have reference to the checklist material I forwarded earlier, you will see that we must address the preliminary questions of defining the dispute in a context that identifies all parties who should be represented and what issues lie to be resolved. In that same preliminary state we must consider the format to be adopted for recording any agreement or disagreement we reach.

It may be that we can usefully address some of those preliminary issues before our seminar. Depending on our process with the short-term logging issue, I will put those matters before the Task Force in our Port Alberni meeting. In any event, I anticipate that we will schedule at least one more meeting before the end of the year.

Allan Hope,
Chairman

BRIEFING MEMORANDUM NO. 5

December 14, 1989

Introduction

A number of issues have arisen out of our meeting in Port Alberni that deserve addressing prior to our meeting of December 19. These issues are as follows:

A. Open Meetings

I will invite the Task Force to close at least a portion of our future meetings. There are two basic reasons for that proposal. The first is that the presence of a large audience representing different constituencies of opinion has proven to be a distraction which is interfering with our process.

Secondly, and in the same vein, the presence of the media at our meetings has proven divisive. I am not critical of the members of the media. However, the media thrives on controversy and the coverage of our December 1 meeting, was presented as a win/loss scenario that has left some ill will in its wake. That result seems to be an inevitable by-product of open meetings where the press has continuing access to our discussions and to individual members. I think it is vital to the process that we close at least part of our meetings and that we return to our agreement to limit our dealing with the media to statements made through the chair.

B. Agenda

I repeat my request that all members forward proposals for our agenda on December 19. My proposals are:

1) Closure of meetings.

2) Timing and location of future meetings.

3) Discussion on the mediation process in preparation for our seminar, including such matters as defining the dispute and identifying the parties who have an interest in its resolution.

4) Considering the data base we will require for those purposes and for resolving the dispute.

5) Considering the nature of the process.

C. Defining the Dispute

1) I will incite a general discussion at the meeting with respect to how the parties see the dispute and who they perceive as having an interest in its resolution.

2) That discussion will involve a consideration of how the parties define, "a sustainable development strategy," as that term is used in paragraph 3 of the Terms of Reference. In particular, I will invite each member to consider what sustainable development means from their perspective and in the context of the other user groups and interested party groups in Clayoquot Sound.

D. Nature of the Process

1) Some members have expressed concern about the fact that separate negotiations were pursued between the industry members, the IWA and the Tofino members. Additional concern was expressed about the fact that the Tofino members were represented by a spokesman.

2) Those negotiations and the role of Mr. Darling as a spokesman for Tofino were encouraged by me as mediator to assist in resolving the short-term logging dispute.

3) The use of such negotiations is a routine application of the mediation process. They are essential for the resolution of peripheral or collateral issues that do no lend themselves to resolution in a full meeting, or in any form of meeting for that matter.

4) The integrity of the process is protected by the fact that all such agreements must be reviewed by the Task Force and must receive the consent of all if they are to have validity.

E. Data Base

It is necessary for us to explore the question of what data we still need to develop to assist us in defining the dispute and identifying who would be represented as a party. We should be considering how that data is to be collected. Further, we should be looking forward to the collection of the data required to solve the dispute.

Conclusion

1) I will invite a thorough discussion of the process at our December 19 meeting to try and make the members more familiar with its unique structure and application.

2) I hope that members will give advance consideration to the issues I have outlined. Anyone wishing to file material in advance can do so through Jackie Hamilton.

Allan Hope,
Chairman

BRIEFING MEMORANDUM NO. 6

February 9, 1990

Introduction

1) The purpose of this memorandum is to provide Task Force members with a perspective with respect to the next phase of their program.

2) Two immediate challenges confront the Task Force. The first is a definition of the dispute and the design of a structure for the resolution of it. The second relates to conclusion of an accord on the outstanding short-term logging issues.

3) My expectation is that this memorandum will provoke discussion and assist members in their deliberations with respect to those two issues.

Defining The Dispute

A. Terms of Reference

1) The Terms of Reference indicate that the Task Force is a dispute resolution body. The dispute is not defined.

2) It may be that the general perimeters of the dispute are contained in paragraph 3 of the Terms of Reference. There the Task Force objective is described as involving the preparation of "a sustainable development strategy for Clayoquot Sound."

3) The Task Force has the right to define the dispute in any terms upon which the members can agree (subject, of course, to government approval through its members on the Task Force).

4) A general articulation of the dispute in its broad terms is:

   How should the principles of sustainable development be applied to the development of Clayoquot Sound?

B. What is a Dispute?

1) Any difference between individuals or parties that requires resolution is a dispute in the sense contemplated in the Terms of Reference where it is anticipated that "the Task Force will function as a dispute resolution mechanism and will operate on a consensus basis."

2) The dispute resolution process with which most persons and parties are familiar is third-party intervention. Included in that process is the civil justice system in which a judge or court is the third party that intervenes to impose a resolution of the dispute on the parties. Another form of third party intervention is arbitration in which the arbitrator is the third party who imposes a resolution.

3) As indicated, the process contemplated for the resolution of this dispute is consensus. Ironically, even though third party resolution is the dispute resolution process with which most parties are familiar, consensus is the process with which most persons have actual experience. The process is used by parties on a daily basis to reconcile differences.

4) Mediation is not a dispute resolution process. It is a technique employed to assist parties in their pursuit of consensus, which is a dispute resolution process.

5) In the civil justice system the dispute is defined in a process called pleadings which affords the parties an opportunity to address their dispute with precision.

6) In the arbitration process the dispute is defined by the parties in the form of questions posed for resolution by the arbitrator.

7) In the civil justice system and the arbitration system, if the parties cannot agree on a definition of the dispute, the judge or arbitrator has the power to define it for them.

8) In the consensus process, the parties must achieve agreement on the definition of the dispute. There is no process whereby the definition of the dispute can be imposed.

9) Disputes adjudicated in third party processes almost invariably involve disputes with respect to competing legal rights. Such disputes lend themselves more readily to definition because of that fact.

10) In this dispute, as in many disputes in which consensus is the dispute resolution process adopted by the parties, the issues go beyond the question of legal rights and involve interests less objective in nature and more difficult to isolate and define.

11) The goal in defining a dispute is to isolate the issues in a context which permits them to be addressed and resolved.

12) However the dispute is defined, it requires all parties to:

    a) define their interests,

    b) consider whether it is desirable for them to have the dispute resolved,

    c) by way of corollary, consider the alternatives to having it resolved by agreement.

C. Summary

I am aware that a wide diversity exists between Task Force members as to the essential nature of the dispute and what steps must be taken to resolve it. The point that must be kept firmly in mind is that consensus with respect to the nature of the dispute is a necessary prelude to its resolution.

D. Recommendation

1) I invite members to consider adopting a two-tier committee system which will function to define the dispute through a process of negotiation and interaction.

2) The two-tier system will consist of one group of committees that represents the various interest groups on the task force and a second group of committees that will deal with logistical requirements.

3) Interest group committees would include:

   a) aquaculture
   b) environment
   c) forest industry
   d) fishing industry
   e) government
   f) heritage
   g) jobs
   h) mining industry
   i) tourist industry

4) Logistical Committees would include:

   a) computer modeling
   b) finance
   c) community and press relations
   d) round table liaison
   e) agreement committee
   f) procedural committee
   g) data development

5) Membership of Interest Group Committees:

   a) Membership should be restricted to persons representing constituencies that have a community of interest in the subject of the committee.

   b) For example, the jobs committee should consist of Ucluelet, Port Alberni, the Regional District and the IWA. The environment committee should consist of Tofino and any additional representation of the environment that we are able to initiate through Task Force consensus. The forest industry committee would be limited to the two licence holders, and so on.

   c) Membership of committees should not be limited to Task Force members.

6) Purpose of Interest Group Committees:

a) The committees will define the interests of the constituencies they represent in privacy. That process will permit the committees to identify the interests of their constituency, both in isolation and in the context of the interests of other constituencies represented by other committees.

b) The committees will be in a position to interact with other committees for the purpose of seeking preliminary identification of issues and alternatives that affect their particular constituencies.

c) The committee dialogue will be in juxtaposition with other committees. For example, if the fishing industry committee can reach an accord on issues and potential resolutions with the forestry industry committee with respect to what sustainable development means in terms of its application to those two industries, they could jointly seek an accord with the jobs committee and environment committee in the context of those issues, and vice versa.

d) The goal in the committee structure is to provide a vehicle for pleading the issues that constitute the dispute.

7) Why Limit Membership in the Committees?

a) The purpose of the committee structure is to facilitate the development of the issues in a form which will permit the members to address and negotiate them. The committees have no power to make agreements. Any agreement made will be made by the members of the Task Force at the main table.

b) The experience in the short-term logging issue should afford insight to members into the advantages of having matters addressed by those most directly involved in a particular aspect of the dispute. The reality of the consensus process where it seeks to resolve a multi-issue dispute with a number of parties with diverse interests is that it must find a medium whereby the dispute can be given structure and form and the parties can develop protocols or a process for negotiating its resolution.

c) In this dispute, there is at issue interests that are based on an assertion of legal rights intermingled with rights that are less apparent but no less real, such as the interest in continued employment, the interest in heritage values and the interest in environmental protection.

The interests and the issues in the dispute are sufficiently broad and diverse that they can only be given structure through some medium that permits the parties to imitate the pleading process that is used in disputes where third party intervention and adjudication is the resource adopted for resolution.

8) Why Expand the Committees Beyond Task Force Members?

a) The use of outside resources, including professionals, is routine in the definition of disputes.

b) I repeat, the purpose of the committees is to provide a structure that facilitates the development and definition of interests and to permit the evolution of a process for pursuing an agreement on those issues. The committees are not a decision-making structure and will be accountable to the Task Force. The ultimate check and balance is the consensus process.

c) Once it is accepted and understood that the purpose of the committees is to assist in defining the dispute and developing issues to facilitate structured negotiation, the membership in individual committees should be determined by the constituencies represented. The committees are a resource from which the Task Force can develop the necessary structure and process to address the dispute. Ideally committee members will be able meet informally, frequently and with access to whatever expertise each separate interest group feels will assist in defining interests and developing issues.

9) Composition of Logistical Committees:

a) The purpose of the logistical committees is to assist the Task Force in dealing with matters that must be addressed at the Task Force level. Those committees will exist to serve the needs of all members of the Task Force as required. The following is a brief description of their function as I see it:

i) **Computer Modelling** - There are presently three computer data resources having application to the forest industry. Those include the Ministry of Forests, Fletcher Challenge and MacMillan Bloedel. I anticipate that other computer data resources exist for some of the other industries. The purpose of the computer modelling committee is to have an ability to coordinate and develop computer data resources to assist the Task Force as it

identifies and pursues the data it requires.

ii) **Finance** - This committee is already in existence. It is quite apparent that there is a continuing need to determine how the activities of the Task Force will be financed.

(iii) **Community and Press Relations-** Constant and effective communication with the immediate and broader constituencies which have an interest in the affairs of the Task Force is vital to its credibility and the durability of any agreement the Task Force reaches. It is anticipated that this committee will assist the Task Force in producing information for various levels of consumption including the media and the immediate communities involved in the issues.

iv) **Round Table Liaison** - Members will realize that a Provincial Round Table has been established and has a broad mandate with respect to the development of the principles of sustainable development, including the general question of dispute resolution at the community level. I am not certain if there will be any relationship between the Task Force and the Round Table, but it will be useful to have a liaison committee to facilitate any such relationship if it develops on the initiative of either the Task Force or the Round Table.

v) **Agreement Committee** - At an early stage it will be of assistance to have a committee working at developing an agreement structure which will permit the Task Force to close off issues upon which consensus can be reached and have them drafted in a suitable format and suitable language. That committee can consider the general question of what form the agreement might take.

vi) **Procedural Committee** - This committee should review our procedural rules and propose amendments to assist in defining the structure and process at it evolves.

vii) **Data Development** - This committee can assist the Task Force in identifying data, recommending how it can be acquired, and recruiting expert assistance as required.

E. Conclusion

1) At our meeting I propose that members address the issues I have raised in this memorandum. Your next logical step is to develop a structure for the definition of the dispute in the context I have described in various meetings and in this memorandum.

2) I also propose that members have a brief discussion on the outstanding short term logging issues. I suggest the discussion be brief because experience has indicated that those issues are best addressed in their preliminary stages away from the main table with the understanding that proposals for their resolution will be brought back to the main table for discussion and possible resolution by consensus. In effect, it is a process similar to the one I have recommended for your consideration in this memorandum.

3) I expect that our discussion about structure and process will occupy the major part of our meeting. I invite members who find discomfort with the proposal to be thinking about alternatives. In any event, the discussion will benefit from a vigorous and critical analysis by all members.

Allan Hope,
Chairman

BRIEFING MEMORANDUM NO. 7

February 26, 1990

Introduction

1) In your last meeting the Task Force established negotiating groups with respect to the various interests you identified. Jackie Hamilton is circulating a summary of that process.

2) Some confusion has been expressed with respect to the precise function of those negotiating groups. In particular, a question has arisen with respect to what degree of disclosure is expected once each negotiating group has defined its interests. The purpose of this memorandum is to address some of those issues and invite inquiries.

Comment

1) There is no expectation that the negotiating groups will be required to share their definition of their interests with other groups, except in the course of ongoing negotiations. Even then, disclosure will be a negotiating decision by the groups.

2) It is expected that the negotiating groups, in addition to pursuing consensus within their group as to their mutual interests, will also consider what options are available to them in pursuing those interests and how they relate to what they see as being the interests of other negotiating groups and the extent to which they can accommodate those interests.

Procedure

Below I have developed an arbitrary list of interests for seven of the negotiating groups selected at random. I cannot emphasize too strongly that the interests I have defined are only for the purpose of demonstration.

The interests do not represent my assessment of the real interests at issue and do not reflect the views of any member or members. I repeat, **they are listed only for the purpose of illustrating a procedure. Undoubtedly the interests developed by the groups will differ substantially.**

Subject to that caution, listed below are the interest groups and interests developed to illustrate the negotiation procedure.

Fishing Industry

a) To pursue consensus with respect to the development of an acceptable data base to permit the fishing industry and the other

interest groups to make decisions with respect to what is required to achieve sustainable development for the fishing industry;

b) To achieve sustainable development of the industry in Clayoquot Sound;

c) To determine what measures must be taken with respect to future development in the study area to ensure sustainable development of the fishing industry;

d) To consider how fishing industry interests diverge from or merge with the aquaculture industry interests in the study area.

Aquaculture Industry

a) To develop a suitable data base;

b) To consider the sustainable development of the industry in the study area;

c) To determine what steps are necessary to achieve sustainable development for the industry in the area;

d) To consider the level of compatibility of the aquaculture industry interests with those of the fishing industry.

Heritage Group

a) To develop a data base that identifies cultural, spiritual and ethnic values that affect land use in the area;

b) To determine how those values will be protected in the study area;

c) To ensure that Native Peoples have an ongoing involvement in any development decisions that are made;

d) To ensure that no steps are taken which will compromise land claims.

Forest Industry

a) To develop a consensus data base;

b) To ensure that the present method of granting and managing timber rights is maintained;

c) To ensure that industry cutting rights in the study area are maintained at existing levels.

Jobs Group

a) To develop a consensus data base;

b) To maintain current levels of IWA forest industry jobs;

c) To maintain existing levels of support jobs;

d) To maintain existing levels of employment generally in the affected region and communities;

e) To increased levels of employment.

Environmental Group

a) To obtain consensus with respect to the relevant data base required to address issues involving the environment;

b) To obtain access to the agreed upon data in a timely and continuing process;

c) To ensure that old-growth timber will be protected from harvesting.

d) To ensure that no development will take place in Clayoquot Sound that disrupts or destroys the eco-system;

e) To ensure watersheds which have not previously been logged are sufficiently protected.

Tourist Industry

a) To settle by consensus on data required to develop a tourism strategy;

b) To ensure that no logging or other development occurs in the Clayoquot Sound study area that has an adverse impact upon existing or predictable tourist values, such as viewscapes;

c) To achieve an agreed upon measurement of tourist values for the Clayoquot Sound region;

d) To obtain by consensus an agreement on the data base relevant to assessing tourist values;

e) To obtain access to the relevant data.

Analysis

1) One would anticipate that the fishing and aquaculture negotiating groups would quickly settle any differences in interests with respect to sustainable development of their industries and would be free to meet with other negotiating groups at an early date.

2) Let us suppose that in the development of their interests, the fishing and aquaculture industry

negotiating groups conclude that their interests require that there be no disruption of the fresh water habitat in the study area that impacts on spawning and the continual replenishment of fish stocks. The fishing and aquaculture industry negotiating groups would then determine which of the other negotiating groups they should approach to pursue those interests.

Let us suppose that they conclude that they should approach the forest industry committee, being the committee with interests that are most directly competing in the sense that they involve potential disruption to the fresh water habitat in the study area. I am leaving aside foreshore and saltwater habitat issues for later consideration in terms of the scope of the Task Force inquiry.

The fishing, aquaculture and forest industry negotiating groups may be able to negotiate some common ground on the question of how sustainable development can be reconciled with respect to their three industries. A typical question might be whether a suitable compromise could be reached between preservation of habitat and maintenance of cutting rights.

3) Other negotiating groups who have reached a consensus on the interests at issue from their perspective can give similar consideration to which of the other negotiating groups they should approach to continue the negotiating process. For example, the jobs committee might find it appropriate to identify other negotiating groups with whom they can predict a measure of mutuality. In particular, the jobs committee might anticipate that they might also face little dispute with the fishing and aquaculture negotiating groups and the heritage group.

4) The same approach applies to the other groups. Tourism, for instance, is likely to have some common ground with the environmental group and those two groups may have a significant base in common with the jobs group, even though disagreement with the jobs group may exist with respect to some other issues.

5) In a joint meeting, those groups may be able to develop interests in common, including interests of the other group that they would be prepared to support in a quid pro quo negotiating process. Similarly, they would be in a position to identify those areas in which they do not agree and leave those for discussion in a later stage of the process.

6) The expectation is that if this process is pursued with a degree of patience and persistence, the result will be a reasonably clear articulation of interests in a context in which both common ground and areas of disagreement will be identified. The Task Force will then be in a position to move on to the next phase of negotiations which will see a merger of the negotiating groups and a refinement of the issues.

7) It is important to keep in mind that I have not attempted to do a realistic hypothesis of what interests may emerge from the negotiating process. My examples were selected arbitrarily for illustration purposes, not to reflect any sense of my view of the merits. I selected extreme positions in many instances that members will recognize as having limited potential for negotiation. They are not intended to influence or guide the members in the actual negotiating process.

Other Issues

1) Two central issues emerge that the negotiating groups should consider in a broad context. The first is the notion of sustainable development and the second is the meaning of the term "strategy". Attitudes vary among members of the Task Force. Some are of the view that sustainable development is a goal that will result from a successful process of negotiation. Others are of the view that definition of interests and the pursuit of negotiations, to be effective, requires that sustainable development be defined in the context of each particular interest group and, ultimately, in the context of the competing interests.

2) A similar diversity of opinion exists with respect to what is meant by the term "strategy". The extreme views are that strategy means a planning process in which the objective is to define a specific plan for the development of Clayoquot Sound now and in the future. The opposite view is that "strategy" means devising a process whereby issues of sustainable development can be addressed and resolved on a continuing basis.

In the one extreme, the agreement the Task Force would pursue would consist of a specific development plan encompassing all of the industries and values contemplated in the Terms of Reference. In the other extreme, the agreement would consist of the definition of a process and scale of values whereby development issues would be addressed at the community level and a further process with respect to how a community consensus on those issues would figure on the ongoing governmental process of regulating development.

Between those extremes, there exists a host of variables. Evolving out of the work of the negotiating groups will be an articulation of issues in a form which will permit the Task Force to address those fundamental issues and it will be useful if members have put some thought into them before that discussion arises.

What should the negotiating groups do?

1) Any group that has not decided on its membership and its nominal chairman should take that step right away. Any group that is having difficulty in that regard should contact Jackie Hamilton.

2) Any group chairman or member of a negotiating group who has questions about the process or how to proceed should also contact Jackie Hamilton or the chairman and we will take steps to assist you.

3) Negotiating groups who are ready to advance to discussions with other groups can contact those groups directly or can contact Jackie Hamilton for assistance in coordinating joint meetings.

4) Negotiating groups should keep Jackie Hamilton fully informed of their progress and advise her of the date of any joint meetings so that participation in the form of mediation can be arranged if that is seen as desirable.

5) Our next Task Force meeting is fixed for Tuesday, March 13 at 9:30 a.m. in the IWA Hall in Port Alberni. Members will appreciate that the agenda for our meetings are of particular importance at this stage in the development of the process and that steps should be taken to advise Jackie Hamilton of any issues individual members think should be addressed.

6) Members who have concerns about any aspect of the process should not wait until a meeting. They should contact Jackie Hamilton or the chairman immediately.

7) I am particularly concerned about any lack of understanding of the process at this stage of its evolution. We do not have the facilities for a continuous mediation initiative at all levels and it is most important that members achieve and retain a clear sense of what we are doing, why we are doing it and the expectations with respect to the process.

   In particular, it is essential that members develop a sense of confidence in their capacity to control the process so that they are willing to view all issues with an open mind and to develop a willingness to negotiate any issue on the broadest level of options possible.

Cautions

1) Your Terms of Reference bind you to the principles of sustainable development, presumably as they are defined in the Provincial report. The terms also bind you to a consensus process in your efforts to agree on how these principles should apply in Clayoquot Sound.

2) Ideally there would be a third party present at all negotiating group meetings to facilitate your discussions. That is not a practical choice and negotiating groups are urged to remember that they are engaged, by necessity, in a negotiating exercise.

3) Fundamental to the negotiating process is a willingness to take risks, to listen to other parties, to develop alternatives, and **a willingness to consider any option**. The protection always, the safety net if you will, is the process itself. Considering options does not mean agreeing to them.

4) The fact that parties are prepared to consider options, and to negotiate them seriously, does not bind them to agree. They can always retreat to their hard positions if they consider that necessary.

5) The freedom of parties to negotiate without a compromise of their right to retreat to hard positions is essential if the process is to work. It is only in that fashion that parties can "try on" proposals with their constituents without binding them in the event of an adverse reaction.

6) There is no agreement until the agreement is concluded, and parties are free to vary their positions as the negotiations evolve. Compromises that achieve tentative support at one stage may have to be abandoned at a later stage as other variables emerge in negotiations with other groups.

7) This process is difficult enough when parties receive continuous assistance. It is perilous when parties are required to strike out on their own. I urge all of you to contact the chairman immediately if you encounter any difficulties. Just remember, when you start the negotiating process, you may both be dancing with someone's devil. Good luck to you all.

Allan Hope,
Chairman

BRIEFING MEMORANDUM NO. 8

August 8, 1990

Review of Terms of Reference

1) During the May 25, 1990 meeting the Task Force members acknowledged that the "strategy" contemplated in the Terms of Reference refers to a decision-making process whereby sustainable development issues of policy and application can be determined. I propose that we devote as much time as is necessary in the August meeting to clearly understanding what we believe is contemplated in the use of the term "strategy" in the Terms of Reference.

2) I understand that "strategy" means a process for having the policies of sustainable development identified and applied to issues affecting the environment. Those issues can include initiatives which affect the use of land, air and water. They can involve all of the industries or undertakings defined in the Terms of Reference, as well as any of the broad concepts of "social concerns, aesthetics and economic development opportunities."

3) Based on experience to date it would seem that an acceptable decision making process will have to meet two criteria:

   i) The maximum possible involvement of the community in the decision making, including the capacity to make the decision by consensus if consensus can be reached.

   ii) A means of resolving an impasse where consensus is not reached and a decision must be made.

4) A further conclusion I have reached on experience to date is that a distinction is necessary between issues involving the application of existing decisions made with respect to those policies.

5) Obviously policy and application issues will overlap in most cases. In fact, that has been a complicating factor in dealing with short-term logging issues. It is a chicken and egg problem when application decisions are required before policy issues have been decided.

6) If we can devise a process in which both policy and application issues can be addressed in a consensus format with a process for resolving an impasse, we may be on the way to achieving the strategy contemplated in our Terms of Reference.

7) The credibility of the process will depend upon the extent to which it permits parties to participate in decision-making, including the potential for the introduction of dispute-resolution techniques to assist in making mutually acceptable decisions.

Recommendations

1) Members should review the questions that were developed to identify issues and the questions that have emerged from the negotiating groups. Those questions will assist in drawing distinctions between policy questions and application questions.

2) Members should consider what differences in process are needed to reflect distinctions between policy issues and application issues. For example, the development of an integrated resource management program for general application to watersheds in a policy issue. The use of that program to deal with specific development issues, such as those arising from the short-term logging requirements, is an example of an application issue.

3) The discussion on August 14 should include a consideration of whether policy issues should be treated differently than application issues.

4) Our October meeting will focus on a discussion of policy issues. We should spend some time considering how those discussions will take place.

Allan Hope,
Chairman

BRIEFING MEMORANDUM NO. 9

August 16, 1990

Introduction

1) The purpose of this memorandum is to advise members and alternates who were not present on August 14 that a special meeting has been called for August 21, 1990. The special meeting is necessitated by the fact that some Tofino members did not consider themselves able to participate in the August 14, meeting.

2) The decision was made by the Tofino members who came to Port Alberni on August 14. It was made in a caucus meeting of those members. For reasons of their own they concluded that they needed to have the issue of Tofino representation in the Task Force reviewed by the Tofino constituency itself.

3) It is regrettable that the Tofino members were not able to give any notice of their decision. However, it is important to note that the decision not to participate was an accident of timing and not a boycott or a withdrawal from further participation.

4) Tofino is scheduled to meet on August 16, 1990 at 5 p.m. to review the issues raised by those members and to consider the status of its participation and representation.

Commentary

1) A special meeting was deemed necessary by the other members in attendance on August 14 in order to ensure that the Task Force is able to maintain an adequate level of preparation for the October policy meeting. The negotiating agenda for that meeting requires a great deal of further preparation.

2) The August 21 meeting will give the Task Force an opportunity to restructure negotiating groups if the District of Tofino elects not to participate and to continue discussion of the process format we are developing for addressing ongoing policy and integrated resource management decisions.

3) Conversely, if the District elects to continue in the process we can deal with the format and process issues in preparation for a further discussion of those issues in the September meeting. One week is short notice for a special meeting but time is limited and there is much left to discuss in preparation for October.

Recommendation

The facilitators' group recommends that as many members as possible make arrangements to attend the special meeting and participate in the preparations for the October meeting.

Allan Hope,
Chairman

APPENDIX 3

NEGOTIATING COMMITTEE PROCEDURES

NEGOTIATING COMMITTEE PROCEDURES

PURPOSE: To describe the operating principles for Negotiating Committees of the Clayoquot Sound Sustainable Development Task Force.

A. How is the negotiating committee structured? How does it work?

1) A chairperson will be appointed by each committee. The role of the chairperson is to set meeting dates, convene and chair meetings, manage correspondence with the committee members, and ensure committee activities and products are properly documented.

   The chairperson serves as the primary liaison person between the negotiating committee and Allan Hope (by working with the Executive Coordinator), but need not be a Task Force member.

2) Individual members are responsible for bringing constituency interests to committee meetings and keeping respective constituencies informed about the process of committee activities. The chairman will maintain a list of participating committee members.

3) Negotiating committees will work toward consensus on all tasks. Consensus for this project is defined by the Task Force as agreement by all members, or at least agreement on where they disagree. Should only one or a very few members of a committee be in a position to prevent a consensus being reached, they shall have the responsibility to either show why they are differentially impacted by a situation, or that the matter is one of such principle that they must prevent a consensus being achieved. If they are unable to demonstrate one of these conditions, they are expected to abstain or to support the consensus.

   A consensus may include abstentions.

4) The Committee chair or his/her representative will normally be the chief negotiator when committees meet.

B. How does a chairperson or member of a negotiating committee convene a meeting?

1) Inter-committee meetings can be arranged in cooperation with the Executive Coordinator, who works with the Community Coordinator for Tofino and committee chairpersons to ensure all members are informed of a meeting date.

2) When inter-committee meetings are arranged, the Executive Coordinator must be notified by one of the chairpersons. Chairpersons are jointly responsible for documenting meeting results and providing a copy to the Executive Coordinator. Assistance with distribution can be provided by the Executive Coordinator on request.

C. What is the first task of the negotiating committee?

The first task of negotiating committees is defined as follows:

1) Clearly define your interests within each negotiating committee. Interests should be as specific as possible so that they are readily understood by all Task Force members, and should be written down and provided to the Executive Coordinator. Where possible, interests should be mapped on the Clayoquot Sound Base Map.

2) Review how your interests could most effectively be integrated into agreements with other committees. Identify interests which are compatible with other committees and those which appear to be competing.

3) Specify areas where more information is required in order to clearly define and communicate interests. Strategies for closing these information gaps should be developed and pursued with other committees and the Executive Coordinator.

4) Identify what alternative solutions might resolve competing interests and what would be needed to implement these alternative solutions.

D. How do the chairperson and negotiating committee members interact with the Task Force?

1) A facilitator will be provided for most committee meetings and for all inter-committee sessions. The role of facilitator is to provide clarification of the process if required and to help resolve impasses should they occur. Facilitators help committees with the consensus process and report to

Allan Hope as part of the mediation committee.

2) Each negotiating committee should have at least one Task Force member included on it. This Task Force member will attend Task Force meetings and be prepared to summarize committee activities for the Task Force.

3) Committee chairpersons or designates will be available to attend public information sessions in Clayoquot Sound to answer questions about committee activities.

4) Chairpersons and committee members may, at any time, contact facilitators, the Task Force chairman, or the Executive Coordinator to discuss options or concerns.

E. How should results of negotiating committee meetings be recorded and reported?

1) Following each negotiating committee meeting, the minutes will be distributed to committee members and the Executive Coordinator at the earliest possible time. Assistance should be coordinated through the Executive Coordinator.

   Minutes of committee meetings will be treated as confidential by Allan Hope, the Executive Coordinator and facilitators unless otherwise advised by the committee. Minutes will not be read or circulated without approval of the chairperson.

2) Progress reports from each committee will be provided to the Executive Coordinator prior to each full Task Force meeting. This allows for an update for the Task Force as necessary and will help to identify outstanding issues which require work.

   Each committee should appoint one of its members, who is also a Task Force member, to speak on behalf of the committee at Task Force meetings.

   A short progress report from each committee will be mandatory at each Task Force meeting. These reports can be presented by the committee spokesperson or read by the Executive Coordinator.

3) The product of negotiating committee work should be a report of sufficient detail to describe the interests of the group and any consensus reached.

4) Chairpersons will be provided with a written timetable for completing joint committee meetings.

5) Chairpersons or members may provide briefings or materials to the Task Force Chairman through the Executive Coordinator, or any of the facilitators to assist in the deliberations of the committee.

6) It is essential that committee deliberations are consistent with the larger constituency that they represent. It is important, therefore, for each committee member to communicate with their constituency as effectively as possible.

7) Committee chairpersons and members shall not speak to the media about the content of negotiations, or about task force activities, unless they are designated as spokespersons by the Task Force.

   Questions from the media about the Task Force process should be referred to the Task Force chairman or the Executive Coordinator.

8) Written agreements, data needs or specific issues between committees will be developed in joint meetings by the committees and the neutral facilitator. These agreements will be forwarded to the Task Force chairman through the Executive Coordinator for eventual use in drafting the sustainable development strategy.

F. How do negotiating committees contact and work with the other negotiating committees?

To negotiate consensus on solutions to competing interests. The second major task of the negotiating committees is all ground rules pertaining to committee work also apply to sessions where committees meet together.

1) Periodic joint meetings of committee chairpersons may be called by Allan Hope. Those Task Force members appointed as spokespeople should accompany chairpersons to these meetings.

   These meetings will normally be held in conjunction with a full Task Force meeting to avoid inconvenience.

2) The Committee chairperson or designate is free to contact other committee chairpersons at any time to discuss possible meeting schedules, agendas and issues.

When a committee is prepared to meet with another committee(s), the chairperson should contact the Executive Coordinator to coordinate scheduling. The chairperson works closely with the facilitators (mediation committee) in developing meeting agendas and conducting meetings. The Executive Coordinator is responsible for contacting facilitators to work with committees at these meetings.

3) Committee members will work towards consensus with other committees to seek options that will accommodate their own interests and the interests of competing users.

4) Working together, committees may identify areas of agreement and areas where they cannot agree due to the lack of information or a fundamental discrepancy. These agreements should be clearly described and submitted to the Executive Coordinator.

G. How can clerical/ research support be accessed by negotiating committees?

Committee chairpersons may request information from the Executive Coordinator, who will provide the information, determine the need for Task Force approval, or recommend other means to obtain the information.

Requests for funding will be presented to the Finance Committee by the Executive Coordinator.

APPENDIX 4

NEGOTIATING COMMITTEE
SECTORAL OBJECTIVES

NEGOTIATING COMMITTEE SECTORAL OBJECTIVES

Forest Industry

- To cooperatively maintain environmental quality and habitat integrity for all interest sectors in the Clayoquot Sound area.

- To foster cooperation with other sectors with respect to information systems, development and use of common infrastructures, maintenance of environmental quality and habitat integrity, and awareness of incidents harmful to environmental or resource values.

- To employ alternative logging methods, silvicultural and other forestry methods to ensure sustainable employment levels.

- To encourage environmentally responsible resource development as a means of creating wealth and diversification for sustaining the local economies of Clayoquot Sound.

- To adequately compensate holders of rights and tenures should they be suspended or withdrawn to satisfy the needs of other resource holders.

- To ensure sustainable and economically viable forest operations by maintaining forest growth productivity of the land base.

- To develop a process which will lead to public support for forest management operations.

Mining

- To permit responsible mineral exploration and development in Clayoquot Sound regulated through existing guidelines.

- To promote mineral resource developments that are regulated through the Mine Development Review Process as an acceptable and appropriate mechanism to adjudicate mining proposals. The review process is an appropriate channel that incorporates public input and evaluates environmental, social, technical and economic factors of the development proposal.

- To maximize the land base available to the mining industry for exploration purposes.

- To safeguard existing mineral rights and tenures in the study area.

- To adopt exploration, development and reclamation measures and standards that result in the minimal disruption of other interests in the land base.

- To promote full resource evaluation and inventory of all areas proposed for limited resource use prior to any decisions to restrict use.

- To promote responsible mineral exploration practices and mine developments in the Clayoquot Sound area as a means of increasing local employment opportunities and diversification of the service industry in these communities.

- To compensate the holders of any rights or tenures that are withdrawn to satisfy the needs of other resource users.

- To develop a heritage resource inventory that will be used to protect specific heritage sites in Clayoquot Sound while maintaining the opportunities for mineral exploration and development.

- To ensure a cooperative approach with other committees, industries and interest groups in maintaining the responsible and multiple resource use nature of the Clayoquot Sound area.

Fishing Industry

- To recommend that the Department of Fisheries and Oceans increase budgetary and manpower resources to ensure that there are adequate numbers of conservation officers to inspect and monitor proposed resource development sites for potential impact on coastal industries.

- To safeguard the integrity of the local environment, by ensuring the maintenance of the quality of all freshwater and saltwater bodies and shorelines with special attention paid to the fish and shellfish habitats.

- To maximize the sustainable output of the fishing industry, recognizing that commercial, Native and recreational interests must be optimally accommodated.

- To promote a sustainable yield process that involves quotas for all species for all users and a more feasible quota allocation, especially for Native Peoples.

- To minimize marine pollution from fishing vessels (commercial, charter and recreational) through public awareness and new regulations.

- To encourage the Provincial Government to pursue International Efforts to reduce or eliminate the Pacific driftnet fishery. To ensure that sports fishing development is managed within a sustainable tourism development plan for the region.

- To minimize the use of herbicides in the Clayoquot Sound forests.

- To maintain site specific leave strips of trees along all fisheries habitat areas, wide enough to avoid blowdown, logging pollution, and excessive water run-off into salmon streams.

- To eliminate debris from resource development from entering fisheries habitat areas.

- To promote collection of adequate inventories of fish/shellfish stocks to ensure sustainable harvest rates.

- To foster reclamation and rehabilitation works in order to enhance and increase fisheries and shellfish habitats and promote job opportunities.

Environment

- To optimize the conservation and restoration of species, communities, and ecosystems.

- To ensure that development recognizes the importance of maintaining biological diversity and processes and that it is sustainable in the long term.

- To promote knowledge of the natural environment, living and non-living, through research and education.

- To improve the social and economic fabric of Clayoquot Sound in legion with the principles of sustainable development.

- To ensure that appropriate and reasonable ecological inventory precedes development decisions so that impacts can be minimized.

- To protect special land and marine sites including limestone caves and other unusual karst features, significant cultural and heritage sites (Native and non-Native), plant communities that feature rare, endangered or exceptional characteristics, unique animal communities or sites of abundance or of critical habitat, and sites identified as appropriate for the re-introduction of species that have been extirpated or severely reduced in the study region.

- To minimize permanent loss of environmental quality by ensuring that industrial and settlement activities follow appropriate procedures to control and mitigate their impacts including minimizing herbicide use, minimizing slash burning and maximum protection of riverside fish habitats.

- To ensure the development and adoption of an environmental emergency response plan capable of dealing with such incidents as oil spills or toxic chemical spills.

- To maintain water quality and protect the marine habitat from adverse environmental impacts.

Aquaculture Committee

- To maintain biophysically attractive sites for the location of aquaculture facilities.

- To influence planning and management of developments in other sectors in order to maintain marine and fresh water quality in areas of existing aquaculture and in areas of aquaculture capability.
- To ensure that the aquaculture industry, in coexistence with other developments, fosters cooperation with other sectors with respect to information systems and common infrastructure that would minimize risk and provide early warning communication systems regarding catastrophic events.

- To encourage the continued development of infrastructure that will economically sustain the aquaculture sector in Clayoquot Sound.

- To continue to encourage monitoring by farmers and research by governments so that any environmental impacts of aquaculture operations can be assessed and addressed.

- To ensure that environmental quality is managed and that habitat integrity is protected from adverse environmental impacts in Clayoquot Sound.

- To ensure that Native and recreational harvesting areas remain available to those users and are enhanced wherever feasible.

- To promote aquaculture as a means of providing sustainable employment in Clayoquot Sound.

- To improve public information about the industry and the control mechanisms already in place.

- To ensure that regulations regarding clean-up of abandoned aquaculture sites be strengthened.

Heritage

- To ensure that Native cultural sites are protected wherever they are known to exist.

- To ensure that inventories of heritage sites and resources are compiled and evaluated as part of the resource development planning process for forestry, mining, tourism, aquaculture and other potentially disruptive activities.

- To ensure that traditional hunting, fishing, and gathering rights, as well as the resources that these rights pertain to, are sustained without net loss in the region.

- To ensure that traditional Native access to, and use of the lands and waters of the region, remains unfettered.

- To promote cooperation between the Band Councils, IWA, and local industries to improve local employment opportunities by employing local people in reforestation and silviculture, establishing training programs locally for the type of jobs being created, and employing more alternative logging practices which tend to be labour intensive.

- To improve the working relationship between the forest industry and the Nuu-chah-nulth Tribal Council with respect to forest management practices.

Jobs

- To ensure that jobs in reforestation and silviculture be jointly ventured between communities in the Clayoquot Sound area and provincial governments.

- To create employment by ensuring rehabilitation of all fish streams that have been affected by over-fishing and logging.

- To promote the increase of sustainable jobs in Clayoquot Sound.

- To advocate the development of more local housing and more local services to support more local jobs.

- To collect more data on existing trends and potential opportunities for jobs in Clayoquot Sound.

- To assist the application of user fees to pay for more enforcement on fisheries management which, in turn, can create employment.

- To promote responsible mineral exploration and mine development in Clayoquot Sound as a means of increasing employment.

- To accompany the local Band Councils in creating more local employment opportunities by:

  1) employing local people in reforestation and silviculture,

  2) establishing local training programs to support,

  3) employing more alternative logging practices.

- To promote the use of manual treatments of brush, rather than the use of pesticides, for both environmental quality and job creation.

Tourism

- To ensure that the tourism industry of the region can operate profitably and sustainably in the context of the other economic activities and social/environmental values.

- To promote inventorying of all tourism resources, including wildlife, rare or threatened plant species, individuals and communities, environmentally sensitive areas, undisturbed wilderness areas, and special natural features.

- To ensure that tourism operators have sufficient information and awareness in order to conduct their services in environmentally conscious ways.

- To minimize the reduction of environmental and aesthetic quality by ensuring that industrial and settlement activities apply procedures which minimize their impacts.

- To minimize marine pollution from fishing (commercial, charter, and recreational) vessels through public awareness and new regulations.

- To ensure the development of an environmental emergency response plan capable of dealing with such events as oil spills or toxic chemical spills.

- To ensure that sports fishing development is managed through a sustainable tourism development plan for the region.

APPENDIX 5

PRINCIPLES OF SUSTAINABILITY

PRINCIPLES OF SUSTAINABILITY

A note on sustainability and sustainable development

by Robert Prescott-Allen

October 17, 1990

Principles of Sustainable Development

The requirements for achieving sustainable development can be boiled down to six principles:

1) **Limit human impact on the living world to a level that is within carrying capacity.**

Human impact on the living world is the product of the number of people multiplied by how much energy and raw materials each person uses or wastes. An excessive impact can be caused by a lot of people consuming a little; or by a few people consuming a lot. The carrying capacity of an ecosystem is its capacity to renew itself or to absorb wastes, whichever is less. Carrying capacity can be enhanced by careful management, but it does have a limit, which must be respected.

2) **Maintain the stock of biological wealth.**

Other ways of expressing this principle are "conserve the conditions of life" or "preserve, protect, and enhance the environment." This requires:

a) **Conserving life-support services.**

These are the ecological processes that sustain the productivity, adaptability and capacity for renewal of lands, waters, air, and all life on Earth. They include: maintenance of the chemical balance of the planet; stabilizing climate; recycling of nutrients; breakdown of pollutants and cleansing of air and waters; stabilization of water flow; soil formation and regeneration; and the supply of food and habitat for all species.

b) **Conserving biodiversity.**

Biodiversity means the variety of life at all levels—the variety of different species; the genetic variability of each species, and the variety of different ecosystems they form.

c) **Ensuring that all uses of renewable resources are sustainable.**

Renewable resources include soil, wild and domesticated organisms, and ecosystems.

3) **Minimize the depletion of nonrenewable resources.**

Ways of extending the "life" of nonrenewable resources include recycling and increasing the efficiency of end uses.

4) **Promote long term economic development that increases resource productivity and maintains natural wealth.**

This requires:

- Promoting technologies that increase the benefits from a given stock of resources.
- Adjusting prices, taxes, and other economic instruments, so that producers and consumers face the full social costs of their decisions.
- Ensuring that measures of economic performance include the costs of environmental damage and changes in the natural resource base.
- Shifting the structure of the economy from high-volume resource industries to high-value information and service industries.
- Adopting an anticipatory, cross-sectoral approach to decision making.

5) **Aim for an equitable distribution of the benefits and costs of resource use and environmental management.**

This is a matter not of economic equality but of ensuring that the benefits and costs of resource use and environmental management are shared fairly among the various communities and interest groups, between rich countries and poor countries, and between the present generation and future generations.

In addition, the change to sustainability will be more difficult for some communities and interest groups than for others. People whose economic survival depends on unsustainable activities will need help to make the transition to sustainability and communities that depend directly and largely on mining, energy production, forestry, fishing, or farming may require assistance to diversify their economics.

6) **Promote values that help achieve sustainability.**

An ethic of sustainability needs to be promoted. Many societies and cultures have values that foster, or are compatible with, sustainability. These should be supported. Values that encourage unsustainable practices need to be changed.

Definitions of selected terms:

Conservation:

The management of human use of organisms or ecosystems to ensure such use is sustainable. Conservation includes protection,maintenance, restoration, and enhancement of populations and habitats.

Development:

Increasing the capacity to meet human needs and improve the quality of human life.

Sustainability:

A characteristic of a process or state that can be maintained indefinitely.

Sustainable Use:

Use of an organism, eco-system or other renewable resource at a rate within its capacity for renewal.

Sustainable Development:

Improving the quality of human life (or increasing the satisfaction of human needs) while using a constant level of physical resources (or while living within our ecological means).

Background to the Principles and Definitions.

The concept of sustainable development was introduced by the **World Conservation Strategy** in 1980 and achieved worldwide prominence in 1987 through **Our Common Future**, the report of the World Commission on Environment and Development (the Brundtland Commission). Its meaning for Canada was discussed by the National Task Force on Environment and Economy (1987). Its meaning for British Columbia has been discussed in greater detail by the British Columbia Task Force on Environment and Economy in its 1989 report, and by the British Columbia Round Table on the Environment and the Economy.

The Brundtland Commission defined sustainable development as "development that meets the needs of the present without compromising the ability of future generations to meet their own needs." This remains the best available general definition. However, many people feel that a narrower, more precise definition is needed. At the same time, they recognize that the concept cannot be fully described in a single sentence.

The above principles and definitions are based on **Caring for the World**, an international strategy for sustainability that builds on the **World Conservation Strategy** and **Our Common Future**. They distil the findings of these documents, the National Task Force on Environment and Economy, **Sustaining the Living Land**, and subsequent work internationally, nationally and within British Columbia.

Revised Principles of Sustainable Development as of November 20, 1990

1) **Limit human impact on the planet to a level that is within carrying capacity.**

   Human impact on the planet depends on the number of people multiplied by how much energy and raw materials each person uses or wastes. Excessive impact can be caused by a lot of people consuming a little; or by a few people consuming a lot. Carrying capacity is the capacity of an ecosystem to renew itself or to absorb wastes, whichever is less. Carrying capacity can be enhanced by careful management and improved technology, but it does have a limit, which must be respected.

2) **Maintain the stock of biological wealth.**

   Other ways of expressing this principle are "conserve the conditions of life" or "preserve, protect, and enhance the environment." This requires:

   a) **Conserving life-support services.** These are the ecological processes that sustain the productivity, adaptability and capacity for renewal of lands, waters, air, and all life on Earth. They include: maintenance of the chemical balance of the planet; stabilization of climate; recycling of nutrients; cleansing of air and waters; stabilization of water flow; soil formation and regeneration; and the supply of food and habitat for all species.

   b) **Conserving the diversity of nature.**
   This means the variety of different species of plants, animals and other organisms; the variety of different genetic stocks within each species; and the variety of different ecosystems. There are three reasons for conserving the diversity of nature: as a matter of principle (all species have an equal right to exist); as a matter of survival (the diversity of nature helps to make the planet fit for life); and as a matter of economic benefit (the diversity of nature is the ultimate source of food, raw materials, and many other goods and services).

   c) **Ensuring that all uses of renewable resources are sustainable.**
   Renewable resources include soil, wild and domesticated organisms, and ecosystems.

3) **Minimize the depletion of non-renewable resources.**

This can be done by extending the "life" of nonrenewable resources—for example, by recycling and by using less of a resource to make a particular product.

4) **Promote long-term economic development that increases the benefits from a given stock of resources and maintains natural wealth.**

This requires:

a) Promoting technologies that use resources more efficiently,

b) Adjusting prices, taxes, and other economic instruments, so that users of resources face the full costs to society of their decisions.

c) Ensuring that measures of economic performance include the costs of environmental damage and changes in the stock of natural resources.

Making the economy more dependent on industries that use limited amounts of energy and raw materials very efficiently.

Adopting an approach to decision making that anticipates and tries to prevent problems and that involves all sectors affected by a decision.

5) **Aim for an equitable distribution of the benefits and costs of resource use and environmental management.**

This is a matter not of economic equality but of ensuring that the benefits and costs of resource use and environmental management are shared fairly among the various communities and interest groups, between rich countries and poor countries, and between the present generation and future generations.

In addition, the change to sustainability will be more difficult for some communities and interest groups than for others. People whose economic survival depends on unsustainable activities will need help to make the transition to sustainability, and communities that depend on single industries may require assistance to diversify their economics.

6) **Provide for effective participation of communities and interest groups in the decisions that most affect them.**

Communities and individuals need to gain greater control over their lives. Policies and actions to achieve sustainability should be identified on the basis of common understanding and general agreement of all concerned.

7) **Promote values that help achieve sustainability.**

An ethic of sustainability needs to be promoted, including respect for nature and for the diversity of human societies. Many societies and cultures have values that foster, or are compatible with, sustainability. These should be supported. Values that encourage unsustainable practices need to be changed.

APPENDIX 6

STRATEGY DEVELOPMENT PROCEDURE OUTLINE

DETAILED PROCEDURE FOR A SUSTAINABLE DEVELOPMENT STRATEGY FOR CLAYOQUOT SOUND

Phase 1 Preparation and review of the first draft of the strategy document.

Expected duration: 12 months.

1.1) The first issue of the newsletter goes out to the communities, explaining the strategy, how people can participate, and asking for feedback.

1.2) The Steering Committee identifies issues that the strategy should cover. The strategy director identifies potential sources of information, prepares terms of reference for the background studies, and identifies potential candidates to prepare them. Terms of Reference and names and qualifications of potential consultants may be reviewed by the Steering Committee. If a consultant is considered insufficiently neutral or objective, and no alternative can be found, two studies may be commissioned on the same topic, using consultants representing different perspectives. The studies would cover the issues and interests concerning Clayoquot Sound and the participants: Native, timber, tourism, fishing, aquaculture, and mining interests, survey of values and perceptions, life-support and biological diversity and cultural heritage.

1.3) The studies are prepared.

1.4) Industry and government agencies would be expected to provide information for the studies; and could also continue their own studies. Submissions from other interest groups and individuals would also be sought.

1.5) Summaries of the studies are printed in the strategy newsletter and widely circulated throughout the participating communities. The full studies would be available to anyone who requested them.

1.6) Public workshops or forums are held in each community to review the studies.

1.7) The Strategy Director prepares a first draft of the Strategy Document. Source material for this will be: submissions from participants; available reports; background studies; comments on the background studies submitted individually and through public workshops.

1.8) An extended summary of the first draft of the strategy document is prepared and widely circulated throughout the participating communities. The full first draft would be available to anyone who requested it.

1.9) Public forums are held in each community to review the first draft of the strategy document.

Phase 2 Preparation of the second draft of the strategy document.

Expected duration: 6 months.

2.1) The Strategy Director prepares a second draft of the Strategy Document on the basis of comments on the first draft submitted individually and through public workshops.

2.2) An extended summary of the second draft of the Strategy Document is printed in the strategy newsletter and widely circulated throughout the participating communities. The full second draft would be available to anyone who requested it.

2.3) Public forums are held in each community to review the second draft of the Strategy Document. Each community should attempt to reach a consensus on as much of this draft as possible, and the draft should express that consensus. It is up to each community coordinating group assisted by the Strategy Director, to facilitate this consensus building process.

2.4) Agreement is sought among communities, industry, and the Provincial Government. Items of agreement and disagreement would be identified. Items of disagreement would be facilitated at the level of the Steering Committee. If facilitation fails, the strategy should address how necessary decisions will be made.

Phase 3 Adoption and implementation of the strategy.

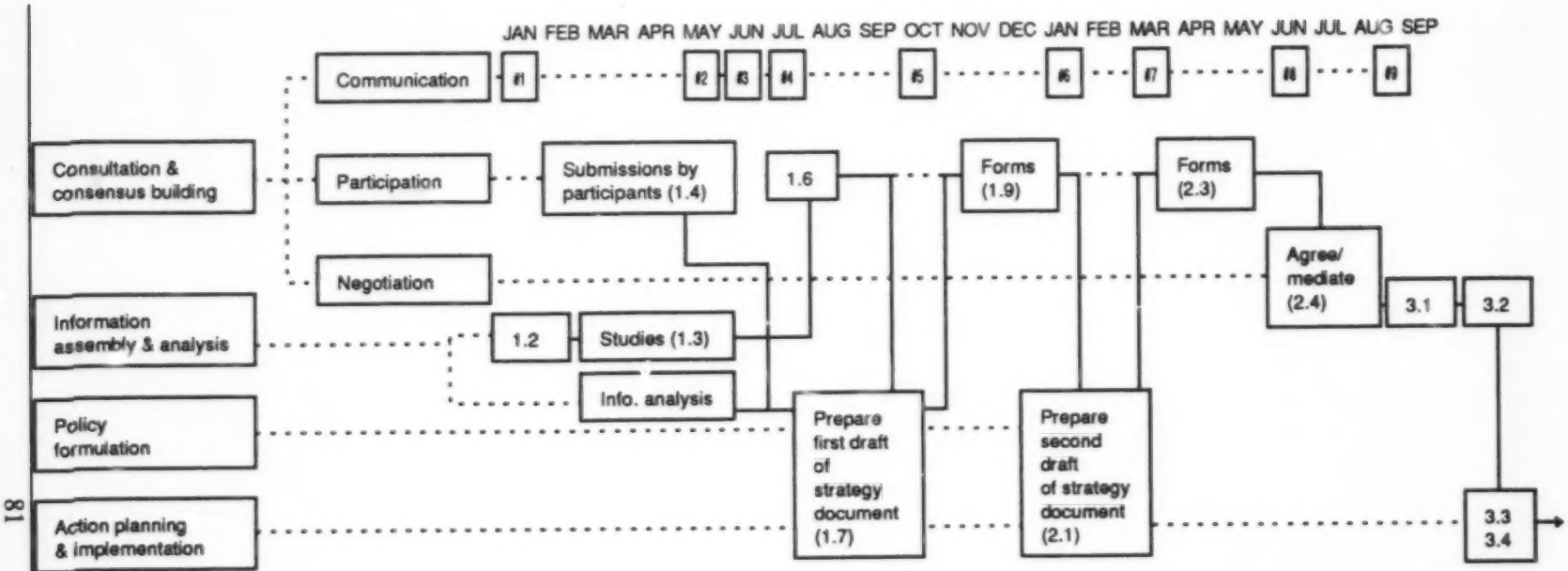
3.1) The participants formally adopt the strategy and agree to implement it.

3.2) The Provincial Government endorses the strategy and agrees to support its implementation, on the basis of its full involvement through the process.

3.3) Implementation of the strategy begins.

3.4) Monitoring and evaluation of implementation and its results.

Diagram of how the Sustainable Development Strategy for Clayoquot Sound cound be developed



Months are indicated only.

Numbers (1.2, 1.4, etc.) correspond to the numbers in the text (Proposed Procedure for a Sustainable Development Strategy for Clayoquot Sound).

Communication = newsletter (numbers 1.1, 1.5, 1.8 and 2.2 in the text). The numbers in this diagram (#1, etc.) refer to the issue of the newsletter: #1 explains the strategy; #2 and #3 report on the studies and announce the public workshops; #4 reports on the public workshops; #5 summarizes the first draft of the strategy document and announces the public forums; #6 reports on the public forums; #7 summarizes the second draft of the strategy document and announces the public forums; #8 reports on the public forums and on the status of negotiations; #9 reports on the adoption of the strategy and its endorsement by the Provincial Government.

APPENDIX 7

FOREST SECTOR INTERIM DECISION MAKING PROCESS FOR CLAYOQUOT SOUND

FOREST SECTOR DECISION MAKING PROCESS FOR CLAYOQUOT SOUND

MEMORANDUM

To: Mr. J.Walker
Assistant Deputy Minister
Fisheries, Wildlife and
Integrated Resource Management
Ministry of Environment

November 19. 1990

Mr. W. Cheston
Assistant Deputy Minister
Operations Division
Ministry of Forests

Re: Clayoquot Sound Task Force

At the recent meeting of the Clayoquot Sound Task Force, it was apparent that a consensus on both short term conservation needs and logging activity during the study period could not be reached by the full Task Force. It was, therefore, agreed that this issue would be resolved through a government-driven process, with the Ministries of Forests and Environment taking the lead. The process could take whatever form the co-chairs decide as long as all relevant stakeholders are involved and it is practical, solution-oriented and does not unduly slow down the decision-making process. If consensus (that is, general agreement) cannot be reached, the government will make the necessary decisions at the appropriate level.

We envisage a workable process as follows:

1) All meetings will be co-chaired by the District Manager, Ministry of Forests and the Regional Manager, Ministry of Environment, or their designate. Any resource people or support required will be provided by each agency.

2) This process is intended to:

   a) clearly identify each issue that must be resolved during the interim study period,

   b) identify all workable options for resolution of the issues,

   c) obtain consensus on the best workable option.

3) Where consensus cannot be reached, the first level of resolution will be at the Regional Manager/Regional Director level. If agreement is not possible at this level, the issue will be elevated to the Deputy Minister level for resolution.

4) When consensus cannot be reached, recommendations from the respective operations managers to the next level in government will be confidential.

5) This task group and process will be used to address and resolve other impasses that may arise from the two year term of the Clayoquot Sound Sustainable Development Steering Committee.

original signed by	original signed by
Richard L. Dalon Deputy Minister Ministry of Environment	Philip G. Halkett Deputy Minister Ministry of Forests

cc: Mr. R. S. Plecas

APPENDIX 8

FORMAL AGREEMENTS

AGREEMENTS

CLAYOQUOT SOUND SUSTAINABLE DEVELOPMENT TASK FORCE SHORT-TERM TIMBER HARVESTING
December 1, 1989 - Port Alberni, B.C.

Fletcher Challenge Canada Limited, the Tofino representatives and IWA-Canada have reached agreement with respect to the logging activity required to meet the company's short-term logging requirements to maintain employment levels. The letter attached defines the terms of the agreement subject to necessary adjustments to cut block design and configuration to meet necessary environmental requirements of the Ministry of Forests and other resource agencies: Department of Fisheries and Oceans and Ministry of Environment.

Tofino acknowledges the very significant efforts Fletcher Challenge has made in attempting to pursue a harvest plan which accommodates the concerns of the community.

All parties acknowledge that preferred forest practices may be compromised by the need to provide full employment without intruding upon Shelter Inlet.

The parties also acknowledge the need for the Task Force to recommend additional areas of harvest approval to the Forest Service to maintain employment for the grading and falling crews by no later than the beginning of April 1990.

MACMILLAN BLOEDEL AGREEMENT
December 1, 1989 - Port Alberni, B. C.

It was agreed that logging will continue in openings 6-26, 6-17 and 6-25 under the following conditions:

6-26 will be logged with showcase conventional methods. All alternative logging methods will be explored in 6-17 and 6-25 during the working of the Task Force. The IWA will assist in the evaluation of alternative methods.

All input will be allowed but ultimate responsibility is with MacMillan Bloedel and approval agencies. Reports will be submitted upon request of the Task Force.

It is understood that future road building will be considered when necessary.

It is agreed that the first workings of the Task Force will be to look at the Bulson River drainage and opening 6-18.

AGREEMENT REGARDING TERM OF TASK FORCE
December 19, 1989 - Port Alberni, B. C.

The Task Force agrees to work towards a strategy for Sustainable Development by the end of 1990 with the full knowledge that the workings of the committee may not be finished but with the expectation that an interim report will be prepared and presented within that time.

AGREEMENT REGARDING TASK FORCE REPRESENTATION
December 19, 1989 - Port Alberni, B. C.

The Clayoquot Sound Sustainable Development Task Force recommends that representation on the Task Force be invited from the following:

- *the 5 Native bands in the Sound and a representative of the Nuu-chah-nulth Tribal Council*
- *the Deputy Minister, Ministry of Forests*
- *a representative from the Ministry of Tourism*
- *a representative from the Ministry of Agriculture and Fisheries*

AGREEMENT ON ALTERNATIVE HARVEST COMMITTEE
December 19, 1989 - Port Alberni, B.C.

Alternative Harvest Committee Members:

G. Trumper
D. Haggard
E. Larsen
M. Mullin
D. Dowling
D. McMullan

The task of the Alternative Harvest Committee will be to develop a proposal for a field trip for the whole Task Force for the purpose of discussing on-site in the Tofino area, the potential for using alternate harvest methods.

The sub-committee will identify "impartial experts" in a range of different harvest systems who could be invited to contribute to the field with their presence.

Once a number of potential alternative methods have been identified through this process, the sub-committee may recommend a trip to view such methods in action.

The sub-committee will identify the budget needed to carry out this initiative as a basis for seeking the Government funding needed to complete this project.

Timing of the field trip should be the end of January, 1990.

AGREEMENT ON SHORT TERM LOGGING ISSUE WITH FLETCHER CHALLENGE CANADA

May, 25, 1990 - Port Alberni, B. C.

By consensus and after negotiating in good faith, the Task Force agreed that regarding the short term logging issue with Fletcher Challenge Canada, the matter should be referred back to government for resolution. The Chairman, Allan Hope, has requested Fletcher Challenge prepare a statement about its short term problem and what it requires for resolution. The Task Force members will review the statement and may file additional statements with government.

The Task Force can now proceed with further development of the Sustainable Development strategy as it is mandated to do.

The Task Force went on record as opposing the practice of tree spiking and request that the Attorney General introduce legislation making the practice an offence.

AGREEMENT REACHED CONCERNING THE PLANNING PROCESS AND TIMBER HARVESTING FOR TOFINO CREEK

July 13, 1990 - Tin Wis Guest House, Tofino, B.C.

MacMillan Bloedel Limited and The District of Tofino, Village of Ucluelet, City of Port Alberni and the Alberni-Clayoquot Regional District agree that the Ministry of Forests and the Ministry of Environment be asked for their involvement in developing an appropriate process for an Integrated Resource Management Plan for Tofino Creek. It is understood that MacMillan Bloedel, the District of Tofino and other communities of interest would provide input to this undertaking.

It is also agreed that the process developed for Tofino Creek will be used as a basis for developing an Integrated Resource Planning Process which may be applicable to other watersheds where deemed appropriate.

Interim decisions about timber harvesting will continue to be made for Tofino Creek based on the best information to parties involved at the time (in keeping with reasonable expectations as to the outcome of the Tofino Creek planning process), and not have to wait for the final plan. The one kilometer of road and bridge building should proceed on this basis, following review of options in the lower valley by MacMillan Bloedel and the District of Tofino.

The review of operating options referred to in the last paragraph is intended to occur this week.

AGREEMENT CONCERNING THE DEVELOPMENT OF AN INTEGRATED RESOURCE MANAGEMENT PLANNING PROCESS FOR TOFINO CREEK

July 30, 1990 - Tofino, B. C.

The Ministry of Forests and Ministry of Environment agreed with the communities represented at the meeting that the ministries will assume joint chairmanship and lead the development of an integrated resource management planning process and plan for Tofino Creek. Within three weeks, the ministries will review the management objectives as tabled by the District of Tofino and MacMillan Bloedel, and others which may be offered by the Village of Ucluelet, City of Port Alberni, Regional District of Alberni-Clayoquot, or other interests as represented on the Task Force, and draft a process which utilizes the Integrated Watershed Management Plan (IWMP) and other existing planning processes as a base.

This draft process will be presented to the communities/agencies for refinement on August 23, 1990.

This agreement is developed within the spirit of the Tin Wis Agreement of July 13, 1990.

AGREEMENT CONCERNING APPROVAL OF ROAD CONSTRUCTION IN TOFINO CREEK

July 30, 1990 - Tofino, B. C.

The District of Tofino agreed that alternatives for development in the lower portion of Tofino Creek will not be pursued at this time.

An agreement in principle has been reached for approval of road construction to that point where the "revised location" meets the "old location" (as described on the MacMillan Bloedel planning map, presented July 30, 1990), subject only to the review of the engineering and layout of the road alignment. This will occur at a meeting on or before August 23, 1990 depending upon the needs of Kennedy Lake Division.*

* *Review refers to review by those who have entered into this agreement.*

Results of this initiative to develop an integrated planning process for Tofino Creek will be submitted to the Task Force for consideration.

APPENDIX 9

REPORT OF THE TRANSFER SUB-COMMITTEE

MEMORANDUM

To: Allan Hope
Chairman,
Clayoquot Sound Sustainable
Development Task Force

December 17, 1990

Re: **Report of the Transfer Sub-Committee**

As directed by the Task Force at its November 20, 1990 meeting, a "Transfer Sub-Committee" was convened to address refinement of "Principles of Sustainability" and issues arising from completion of the Task Force Report.

The Transfer Sub-Committee met on December 14, 1990 in Nanaimo and addressed agenda items agreed to in advance. The meeting agenda is attached. In attendance at the meeting were:

Patrick Armstrong	- City of Port Alberni, Village of Ucluelet
Craig Darling	- District of Tofino
Dave Haggard	- IWA - Canada
Don Dowling	- MacMillan Bloedel Ltd.
Earl Warnock	- Ministry of Environment
Paul Pashnik	- Ministry of Forests
Robert Prescott-Allen	- Interim Strategy Director (proposed)
Gordon Erlandson	- Facilitator

Following is the report of the Sub-Committee in the form of recommendations for initiating the new Steering Committee process as contemplated by the Task Force.

1) **Principles of Sustainability:**

Following the November 20, 1990 Task Force Meeting, the B. C. Round Table on the Environment and the Economy published its document "A Better Way" which describes sustainable development principles for the province. The Transfer Sub-Committee examined these principles in conjunction with the two versions contained in Appendix 5 of the Task Force Report.

Specific refinements were made to the description of each of the seven principles adopted in general by the Task Force on November 20, 1990.

The Sub-Committee recommends that the principles as refined become the starting point to guide the work for the new Steering Committee. This revised version should be appended to the Task Force Report as it provides a description of the intent of the Task Force as to sustainable development in Clayoquot Sound.

2) **Steering Committee Membership:**

On behalf of the Task Force, the Transfer Sub-Committee strongly recommends that each Steering Committee member have one alternate member, and one alternate member only. In addition, alternate members should be encouraged to attend (but not participate in) as many meetings as possible and to otherwise remain informed as to the tasks and progress of Steering Committee work. In this way, alternate members can work effectively and efficiently when called upon to serve in place of the regular members.

The Sub-committee also recommends that the members of the Steering Committee be selected in the following manner:

Community Representatives

The representatives of Port Alberni, Tofino and Ucluelet will be the chairpersons of the coordinating or participating groups that each community will set up. The coordinating group will be responsible to the municipal council. Its composition will ensure representation from the full range of interests within the community concerned.

The Sub-Committee has no suggestion concerning the selection process for the NTC or the Regional District.

Sectoral Representatives

1) The Interim Strategy Director will identify and invite the participation of the individuals and organizations perceived as representing the sectors identified in the Task Force report.

2) Under the guidance and direction of the Interim Strategy Director, each sectoral group will:

   a) identify the range of interests to be represented by that sector on the Steering Committee; and

   b) select a representative best able to reflect those interests.

   Where appropriate, a coalition or sub-committee of sectoral interests may be formed to guide the selected representative on an ongoing basis.

3) Where a clear choice of representative is not apparent, nominations will be solicited and provided in confidence to the Interim Strategy Director who will in turn canvass the acceptability of each nominee with the parties and make a recommendation.

4) If necessary, the Interim Strategy Director may establish an informal negotiation process among the parties to select an acceptable representative.

The evolution of the process may result in new interests emerging and demanding to be included. The Steering Committee should consequently be prepared to encourage the expansion of a party or coalition to include the new interest or, where appropriate, to add a new party to the negotiation.

3) **Chairmanship:**

The Sub-Committee recommends that the Interim Strategy Director canvass opinion leaders and Strategy Committee members informally and confidentially, to arrive at a preliminary list of candidates for Chairman. This list can then be considered by the Steering Committee as a whole.

Candidates for Chairman of the Steering Committee should:

- be responsible for managing the process of meetings from a neutral position;
- preferably be a resident of the interest area affected by the sustainable development strategy;

- be a person who can gain the trust of all members;
- not have an agenda to represent at the Steering Committee table;
- have good interpersonal skills;
- collaborate with the Strategy Director with respect to agencies, issues, and the working relationships of members;
- be paid an honorarium.

4) **Context for the Steering Committee:**

The Sub-Committee is concerned that the terms of reference for the new Steering Committee remain conditional so that the Steering Committee can make refinements as required. At the same time, the Sub-Committee would like to ensure that the intent of the Task Force with respect to a sustainable development strategy, is clearly communicated to the new Steering Committee.

Particular emphasis should be placed on information collection and analyses as a starting point, following the procedure presented by Robert Prescott-Allen and adopted by the Task Force at its October Retreat, 1990.

The geographic scope of the study area will, in large measure, dictate the issues to be addressed and the information needs. The Sub-Committee recommends that geographic scope be guided by the approach suggested by Prescott-Allen which is stated as follows:

"The geographic scope of the strategy will be the Clayoquot Sound drainage basin. Because the resource base of the participating communities and sectors is wider than this, the background studies and strategy document should clearly define the importance of the Clayoquot Sound to each participating community and sector, relative to the other areas on which they draw for resources."

Gordon Erlandson
on behalf of the Transfer Sub-Committee

Attachment

cc: Transfer Sub-Committee

Principles of Sustainable Development

Revised December 14, 1990

Seven principles summarize the requirements for achieving sustainable development. Each time we make a major decision as a society we should ask ourselves if it is consistent with these principles.

1) **Limit human impact on the planet to a level that is within carrying capacity.**

Human impact on the planet depends on the number of people multiplied by how much energy and raw materials each person uses or wastes. An excessive impact can be caused by a lot of people consuming a little; or by a few people consuming a lot. Carrying capacity is the capacity of an ecosystem to renew itself or to absorb wastes, whichever is less. Carrying capacity can be enhanced by careful management and improved technology, but it does have a limit, which must be respected.

2) **Maintain the stock of biological wealth.**

Other ways of expressing this principle are "conserve the conditions of life" or "preserve, protect, and enhance the environment."

This requires:

a) Conserving life-support services. These are the ecological processes that allow land, water, air and life to be productive, to adapt and to renew themselves, and that include: maintenance of the chemical balance of the planet; stabilization of climate; recycling of nutrients; cleansing of air and waters; stabilization of water flow; and soil formation and regeneration.

b) Conserving the diversity of nature. This means conserving the variety of different species of plants, animals and other organisms; the variety of different genetic stocks within each species; and the variety of different ecosystems.

c) Ensuring that all uses of renewable resources are sustainable. Renewable resources include soil, wild and domesticated organisms, and ecosystems.

3) **Minimize the depletion of nonrenewable resources.**

This can be done by extending the "life" of nonrenewable resources - for example, by recycling and by using less of a resource to make a particular product.

4) **Promote long term economic development that increases the benefits from a given stock of resources and maintains natural wealth.**

This requires:

a) Promoting technologies that use resources more efficiently.

b) Ensuring that users of resources face the full costs to society of their decisions, for example through prices, taxes, and other economic instruments.

c) Ensuring that measures of economic performance include the costs of environmental damage and changes in the stock of natural resources.

d) Improving and diversifying our present high-volume resource industries, and developing high-value service and information industries that create wealth from the processing of information (for example computer mapping systems).

e) Adopting an approach to decision making that anticipates and tries to prevent problems and that involves all sectors affected by a decision.

5) **Aim for an equitable distribution of the benefits and costs of resource use and environmental management.**

The benefits and costs of resource use and environmental protection have not always been shared equitably among different communities and interest groups, among regions that are poor and those that are affluent, and between our generation and those who will come after us.

The transition to sustainability will mean more difficulties for some communities and interest groups than for others. But change can be managed to limit negative and disruptive impacts. As communities discover the need for change, programs to ensure the shift away from unsustainable activities will need to be created. Mechanisms for ensuring job and business stability during and after transition and the opportunity for affected parties to make choices will need to be an integral part of these programs.

6) **Provide for effective participation of communities and interest groups in the decisions that most affect them.**

Communities and individuals need to gain greater control over their lives. Policies and actions to achieve sustainability should be identified on the basis of common understanding and general agreement of all concerned.

7) **Promote values that help achieve sustainability.**

An ethic of sustainability needs to be promoted, including respect for nature and for the diversity of human societies. Values that foster, or are compatible with sustainability should be supported. Values that encourage unsustainable practices need to be changed.

MEMORANDUM

To: See Below December 10, 1990

Re: **Transfer Sub-Committee Agenda - December 14, 1990**

Based on our conference call of December 7, 1990, the following is the proposed agenda for our meeting scheduled for 12:00 noon, Friday, December 14, 1990 in the Ministry of Environment Boardroom in Nanaimo.

1) **Principles:**

The Task Force report now contains two versions of principles of sustainable development. Members agreed to highlight any problems or questions arising from each version, and to come to the meeting prepared to discuss these.

The intent of the discussion will be to refine the language of the principles where it is unclear, to discuss application of the principles to Clayoquot Sound, and to thereby provide a clear starting point for the new Steering Committee to begin its work.

2) **Membership:**

The intent of this topic is to discuss with Robert Prescott-Allen how Steering Committee members will be chosen. There is a concern that each sector be fully representative of the interests.

There will also be further discussion on the use of "alternates" on the Steering Committee. The issue here is one of representation at all meetings vs. loss of continuity and efficiency.

3) **Chairmanship:**

Members agreed that this should be discussed to ensure that sufficient consideration is given to the "job description" of the Chairperson, and the distinction between the roles of the Chair, the Strategy Director and a Facilitator.

4) **Context for Steering Committee:**

Two related issues were raised with respect to the context which should be provided by the Task Force to the new Steering Committee.

Firstly, the geographic scope of the study area seems to define the economic sphere of influence for the sustainable development strategy. This sphere of economic influence has been a continuing issue for the Task Force and the concern is that as much uncertainty as possible be removed from the Steering Committee terms of reference.

This raises the second issue which is a question of how far the Task Force should go in setting the terms of reference for the Steering Committee. In delivering a mandate to the Steering Committee, how far should the Task Force go in defining the process and procedures?

It was agreed by members that this would be discussed at our meeting.

Gordon Erlandson

cc: Allan Hope

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